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VOLUME

54

Ex parte: In the matter of Hans Nielsen. Appellant

1527. Appeal from the First Judicial District Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the First Judicial District Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said District Court, in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said District Court with directions to issue a writ of habeas corpus as prayed for by the petitioner and proceed therein according to law.

per Mr. Justice Bradley.

The City of New Orleans, Appellant, vs. James Y. Christmas and Hattie L. Whitney, Administrator & Administratrix of Myra Clark Gaines, dec'd. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

4.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court.

per Mr. Justice Bradley.

(The Chief Justice & Mr. Justice Lamar were not members of the Court when this case was argued and took no part in its decision.)

The City of New Orleans.

vs Appellant

The United States, ex rel: James Y. Christmas & Nathie L. Whitney, administratrix & Administratrix of Myra Clark Gaines, deceased

Appeal from and In Error to the Circuit Court of

3 The City of New Orleans. vs. Plff. in Error. The United States ex rel: James Y. Christmas & Hattie L. Whitney, Administrator & Administratrix of Myra Clark Gaines, deceased. the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, on appeal and writ of error, and was argued by counsel. On consideration, whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the petition.

per Mr. Justice Bradley.

1446. Chae-Chan Ping. vs. The United States. Appellant. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court, in this cause be, and the same is hereby, affirmed.

per Mr. Justice Field

Alexander B. McKinley vs. Jerome B. Wheeler and Clinton Markell. — In Error to the Circuit Court of the United States for the District of Colorado.

233 Deff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause

be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer of the defendants, and to take further proceedings in conformity with the opinion of this Court.

per Mr. Justice Field.

P. P. Pickard, Comptroller of the State of Tennessee. vs. The East Tennessee, Virginia & Georgia Railroad Company. Appellant.

Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

246

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Field.

Frank B. Andrus		In Error to the Cir-
260	vs.	cuit Court of the Un-
The St. Louis Smelting and		ited States for the
Refining Company		District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Edward M. Stickney, William H.		
Stickney, George Stickney and Carrie		Appeal from
Stickney: George Stickney by Luis		the Supreme
guardian ad litem Chas. E. Gibbs,		Court of the
& Carrie Stickney by her guard-		District of
ian ad litem Robert S. Spencer.		Columbia.
2413	vs.	
Jeannie K. Stickney.		Appellants.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Ex parte: In the matter of Hollon Parker. Original Petitioner. On petition for a writ of mandamus.

On consideration of the petition for a writ of mandamus and return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the writ of mandamus, as prayed in said petition for, and the same is hereby, awarded, commanding the Supreme Court of the Territory of Washington and the Judges thereof to reinstate the appeal taken to it on the 27th day of July, 1885, in the case

of Hollow Parker to Mango Pacific, and dismissed at the January term of said Court 1887, and to proceed to its hearing in the usual course of its business.

per Mr. Justice Field.

1034 The United States. vs. Plaintiff John O. Hall. On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and on points or questions which the judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the sixth question certified must be answered in the negative. Whereupon It is now here ordered and

adjudged by this Court that it be so certified to the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Miller.

1135 The United States v. Philip. George H. Perrin et al. On a certificate of division in opinion in opinion between the Judges of the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and on points or questions on which the judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such cases made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that it cannot take jurisdiction of this case. Whereupon, It is now here ordered and adjudged by this Court that this cause be, and the same is

hereby, remanded to the Circuit Court of the United States for the Northern District of California for such further proceedings as it may be advised to be proper.

per Mr. Justice Miller

The United States vs. W. H. Reilly. 1036. Plaintiff. On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the fifth question certified be answered in the negative. Whereupon, It is now here ordered and

adjudged by this Court that it be so certified to the Circuit Court of the United States for the Northern District of California

per Mr. Justice Miller.

David S. Terry & Sarah A. Terry. — Appeal from the Circuit Court of the United States for the Northern District of California.

1486. — vs. — Appellants

Frederick W. Sharon, Executor of William Sharon, deceased.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Miller.

David Freeland. — In Error to the Supreme

267. — vs. — Deft. in Error. — Court of Appeals of the State

Joseph V. Williams. — of West Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller

Dissenting:

Mr. Justice Harlan.

William P. Washburn and Emma Richardson, Executor and Executrix of Benjamin Richardson, decd. et al

181 vs. Appellants.

Ashbel Green and Wm. Bond, trustees et al

Thomas M. Nelson et al.

947 vs. Appellants

Ashbel Green and Wm. Bond, trustees et al.

And.

Thomas M. Nelson.

1027. vs. Appellant.

Ashbel Green and Wm. Bond, trustees et al

On consideration of the motions in cases Nos. 947 and 1027 to refund to the appellants in those cases the sum of $450. heretofore deposited by them

with the Clerk and of the cross-motion of the appellants in case No. 181 that the money be paid over to them, It is now here ordered by the Court that the further consideration of said motions be, and the same is hereby, postponed until the taxation of the costs on the final hearing of case No. 181.

per Mr. Chief Justice Fuller.

Ezra D. Gritts et al.
vs
George W. Palmer.
338. Appls. in Error

On consideration of the motions to dismiss or affirm in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

J. B. Anderson, Administrator &c. et al.
vs
James L. Watts, Exrtr &c. et al.
740. Appellants.

On consideration of the motion to dismiss or affirm in this case, and of the argument of counsel thereupon had, as well in support of

as against the same. It is now here ordered by the Court that said motions be and the same are hereby, denied.

per Mr. Chief Justice Fuller.

755. J. M. North vs. Andrew Peters — Appellant. On consideration of the motion to dismiss in this cause and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr Chief Justice Fuller.

1164. Ezekiel Clark vs. L. B. Sidway — Writ in Error. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr John M. Jewett in support of the same, and Mr. George L. Paddock and Mr. C. C. Hourse, in opposition thereto.

1164. Ezekiel Clark vs. Plff. in Error. L. B. Sidway. On consideration of the motion to dismiss in this cause, & of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1370. Brigido Bolaller et al. vs. Plffs. in Error Dominga Dominguez. On consideration of the motion to withhold the mandate in this case until the next term, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr Chief Justice Fuller.

1431. The District of Columbia. Use of Laughlin & William H. Thumbert vs. John H. Brewer. Appellants Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the trans-

cript of the record from the Supreme Court of the District of Columbia, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The United States.
1425 vs. Appellant. On consideration of
Tyler Davis. the motion to dismiss
& in these cases and
The United States. of the argument of
1426 vs. Appellant. counsel thereupon
Henry Schofield. had, as well in sup-
port of as against
the same, It is now
here ordered by the Court that said mot-
ions be & the same are hereby, denied.

per Mr. Chief Justice Fuller.

Louis Mette & George Kaune It is ordered
296 vs. Appeal in Error by the Court
Daniel L. Mc. Guckin that the sub-
mission of this

cause be, and the same is hereby, set aside, and the cause restored to the docket for oral argument before a full bench.

per Mr. Chief Justice Fuller.

Jesse Spalding, Collector of Customs for the Port and District of Chicago. Plff. in Error

v.

278 Louis Manasse.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Fuller.

Jesse Spalding, Collector of Customs for the Port and District of Chicago. vs. Louis Manasse. — Pff. in Error

279

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Fuller.

Jesse Spalding, Collector of Customs for the Port &c. vs. Joseph Waacker. — Pff in Error

280

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Fuller.

Jesse Spalding, Collector of Customs for the Port and District of Chicago
v. Plff. in Error
Joseph Vanaker. ——— In Error to the Circuit Court of the United States for the Northern District of Illinois.

281.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of

the said Circuit Court in this cause be, & the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Fuller.

Jesse Spalding, Collector of Customs for the Port & District of Chicago. Pff. in Error. vs. S. Yamada.

282. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Fuller.

Jesse Spalding, Collector of Customs for the Port and District of Chicago.

vs.

John V. Farwell, Charles B. Farwell and John K. Harmon, co-partners as John V. Farwell & Co.

284 Pff. in Error

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Fuller.

Jesse Spalding, Collector of Customs for the Port and District of Chicago.

vs.

Lewis Cohn and Moses L. Cohn: co-partners as Cohn and Son.

285 Pff. in Error

In Error to the Circuit Court of the United States for the Northern Dis-

trict of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

James M. Veach Robert L Rogers, A. C. Trumble, W. S. Benham, John J. Howard and A. W. Mitchell. Appellants.

vs.

Ida L. Rice, Mary L. Spencer Napoleon B. Tunnicliff et al. Appellees.

Appeal from the Circuit Court of the United States for the Northern Distrct of Georgia.

208.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Northern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

Wallace Douglass
vs. } In Error to the Supreme
226 Jeff. in Error. Court of the Territory
Charles W. Lewis and of New Mexico
Jessie A. Lewis, his wife.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is

hereby affirmed with costs.

per Mr. Chief Justice Fuller.

J. C. Dunlap — In Error to the Circuit
255 vs Aff. in Error — Court of the United
The Northeastern Rail- — States for the Northern
road Company — District of Georgia.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial

per Mr. Chief Justice Fuller.

Lelia A. Powle &c Horace L. Powle, partners as Lelia W. Powle and Sons.		Appeal from the Circuit Court of the United States for the Southern District of Ohio
269	vs. Appellants.	
John O. Park, Ambro R. Park, and Godfrey F. Park, partners as John O. Park and Sons.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings to be had therein in conformity with the opinion of this Court

per Mr. Chief Justice Fuller.

William J. Hawkins
266 vs. Plff. in Error
John Glenn Trustee of the
National Express & Trans-
portation Company

In Error to the
Circuit Court of
the United States
for the Eastern
District of North
Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of North Carolina.

per Mr. Chief Justice Fuller.

L. W. Palmer,
302 vs. Plff. in Error
E. G. Arthur.

In Error to the Circuit
Court of the United States
for the District of
Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs: and ten per cent. damages, in addition to interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Kentucky.

per Mr. Chief Justice Fuller.

Order.

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the Circuits, agreeably to the act of Congress in such cases made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Horace Gray, Associate Justice
For the Second Circuit, Samuel Blatchford, Associate Justice
For the Third Circuit, Joseph P. Bradley, Associate Justice
For the Fourth Circuit, Melville W. Fuller, Chief Justice.

For the Fifth Circuit, Lucius Q. C. Lamar, Associate Justice
For the Sixth Circuit, John M. Harlan, Associate Justice
For the Seventh Circuit, John M. Harlan, Associate Justice
For the Eighth Circuit, Samuel F. Miller, Associate Justice
For the Ninth Circuit, Stephen J. Field, Associate Justice

Order

It is now here ordered by the Court that section 2 of Rule 24 of the Rules of this Court be, and the same is hereby, amended so as to read as follows:

"2. Ten cases only shall be considered as liable to be called on each day during the term. But on the coming in of the Court on each day the entire number of such ten cases will be called, with a view to the disposition of such of them as are not to be argued."

1424 Nicholas L. De Vries, Appellant, vs. Frederick H. Wurster Marshal of the United States for the Northern District of Illinois, William J. Cassell, Jesse S. Hildrup & Alfred M. Jones. Appeal from the Circuit Court of the United States for the North-

ern District of Illinois.

This cause having been called to the attention of the Court by Mr. W. G. H. Robinson, of counsel for the appellant, and a stipulation to reverse the decree of the Circuit Court of the United States for the Northern District of Illinois having been filed, which stipulation is in the following words, viz:

"Whereas, all the rights and interest of the United States in the subject matter of this litigation have been adjusted by the acceptance by the Secretary of the Treasury of an offer in compromise, made by the complainants, Nicholas L. De Vries and Stephen G. De Vries of twenty-five hundred dollars ($2500.00) and all costs of this suit and the suit of the United States v. John D. Harper, Nicholas L. De Vries et al. upon the official bond of the said Harper as Collector of Internal Revenue for the Eighth Collection District of Illinois, out of which this litigation was developed.

And whereas, the said sum of money in compromise has been paid into the Treasury and the costs of said suits amounting to

three hundred and eleven dollars and sixty cents ($311.60) have been paid to the Clerk of the Circuit Court of the United States for the Northern District of Illinois:

And whereas, it is necessary, in order to remove the cloud upon the complainants title, that the decree rendered by the said Circuit Court in the above entitled cause should be reversed by the Supreme Court, and the cause remanded to the Circuit Court, in order that the injunction prayed for in the bill may be granted and made perpetual:

Therefore, it is hereby stipulated and agreed that the Supreme Court may reverse the decree of the Circuit Court in said cause, and remand said cause for such order as the Circuit Court may see fit to make in the premises.

W. P. N. Robinson,
J. S. Stevens
Solrs for Nicholas S. De Vries et al.
W. H. H. Miller.
Attorney General.
W. G. Ewing.

Our consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court for such order as it may see fit to make in the premises.

per Mr. Chief Justice Fuller.

The Board of Commissioners of the County of Harper. vs. Plff. in Error. Edward Rose.

107

Mr. George E. Mc. Mahon, of counsel for the plaintiff in error, suggested the death of Edward Rose, the defendant in error herein, and moved the Court to make Eber Peacock, Administrator of the said Edward Rose, the party defendant in error in this cause pursuant to a stipulation of counsel for the respective parties. Whereupon, It is now here ordered by the Court that the said Eber Peacock, Administrator of Edward Rose deceased, be, and he is hereby, made the party defendant in error in this cause.

Andrew J. Cropsey
676. vs. Pff. in Error.
The County of Gage.

In the Circuit Court of the United States for the District of Nebraska

This cause having been called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

G. A. Wible.
1864 vs. Pff. in Error.
David Bircher, Thomas Sam-uels, John Hergunger et al

In Error to the Circuit Court of the United States for the District of Colorado

This cause having been called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation to dismiss this cause having

been filed, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, each party to pay his own costs in this Court.

per Mr. Chief Justice Fuller.

Robert W. Waterman.
1248 vs Appellant.
Abbie L. Waterman.
And
J. L. Porter.
1249 vs Appellant
Abbie L. Waterman.

The death of Abbie L. Waterman, the appellee in these cases having been heretofore suggested, and a citation, pursuant to section 3 of the 15th rule of this Court directed to James M. Banks, as Executor of said Abbie L. Waterman, having been granted and issued, and proof of the service of the same having been filed, It is, on motion of Mr. William A. McKenney, in behalf of counsel for said Executor, now here ordered by the Court that the said James M. Banks, Executor of Abbie L. Waterman, deceased be, and he is hereby, made the party appellee in these

Hamson R. Lewis & C. L. L. Leach, Assignees of the estate of Albert Sowles, in insolvency
1365. vs. Appellants
Chester W. Witters, Receiver of the First National Bank of St. Albans, Vermont.

Appeal from the Circuit Court of the United States for the District of Vermont.

This cause having been called to the attention of the Court by Mr. William A. McKenney, on behalf of counsel, and a stipulation to dismiss this cause having been filed. It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, each party to pay his own costs in this Court.

per Mr Chief Justice Fuller.

Order.

It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the term not disposed of by the Court

ns, and the same is hereby continued until the next term of the Court.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes
of the
Supreme Court
of the
United States.
October Term.
1889.

Monday. October. 14th, 1889.

At the Capitol of the United States in the City of Washington, and District of Columbia being the present seat of the National Government of the United States, on the second Monday of October (being the fourteenth day of the same month) in the year of our Lord one thousand, eight hundred and eighty-nine, and of the Independence of the United States the one hundred and fourteenth, the Supreme Court of the United States met agreeably to Law.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Orlow W. Chapman, Esquire of Binghampton, State of New York, John B Cotton, Esquire, of Washington, District of Columbia, W. H. A. Read, Esquire of Toledo State of Ohio Henry C. Fuller Esquire of Peoria, State of Illinois, and S. D. Puckett, Esquire of Bedford and Wilbur F. Peterson, Esquire of La Fayette, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. G. Phillips it is ordered that John M. Avery, Esquire of Dallas, State of Texas, and Joseph P. Kelly and James D. Page, Esquire, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. J. Way, it is ordered that

E. H. Bruton, Esquire, of Aberdeen, State of Mississippi. Robert T. Devlin, Esquire of Sacramento, State of California, and W. K. Williams, Esquire, of Austin, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr George B. Hazleton it is ordered that J. Warner Mills, Esquire of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. C. Catchings it is ordered that J. B Saunders, Esquire, of Belton, State of Texas, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Earle it is ordered that Robert W. Shand Esquire of Columbia, State of South Carolina, be admitted to practice as

an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington it is ordered that L. B. Kellogg, Esquire of Emporia and Henry Ellistow Esquire of Atchison, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry B. Mason, it is ordered that John G. Reid, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Honorable Orlow W. Chapman appeared and produced the following Letters Patent, which were read in open Court, and ordered to be recorded on the minutes of the Court in the following words, viz:

Benjamin Harrison

President of the United States of America.

To all who shall see these Presents, Greeting:

Know Ye: That reposing special trust and confidence in the Integrity and Ability of Orlow W. Chapman of New York, I do appoint him to be Solicitor General and do authorize and empower him to execute and fulfil the duties of that Office according to Law and to have and to hold the said Office, with all the powers, privileges and emoluments thereunto of right appertaining, unto him, the said Orlow W. Chapman, until the end of the next session of the Senate of the United States, and no longer: subject to the conditions prescribed by Law.

In testimony whereof, I have caused these letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Given under my hand at the City of Washington, the 29th. day of May in the year of our Lord one thousand eight hundred and eighty-nine and of the Independence of the United States of America the 113th.

{Seal}

Monday, October, 14th, 1889. Continued.

Bay. Harrison.

By the President:

W. H. H. Miller.

Attorney General

The Chief Justice announced that the Court would commence the call of the docket to-morrow, pursuant to the 26th. rule.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Tuesday, October, 15th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. — Associate
John M. Harlan. — Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger, it is ordered that Harper W. Orahood, Esquire of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Jenks it is ordered that

Park Davis, Esquire, of Sioux Falls, South Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that Arthur S. Brown and D. G. Johnston, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that Shannon C. Douglass, Esquire, of Kansas City, State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

54. John M. Moffit vs. Pff. in Error Chester A. Arthur, late Collector etc.

Mr. Assistant Attorney General Maury, of counsel for the defendant in error, suggested

gested the death of Chester A. Arthur, the defendant in error herein, and moved the Court to make Charles E. Miller and Daniel G. Rollins Executors of the said Chester A. Arthur, the parties defendant in error in this cause. Whereupon, It is now here ordered by the Court that the said Charles E. Miller and Daniel G. Rollins, Executors of Chester A. Arthur, deceased, &c. and they are hereby made the parties defendants in error herein.

Samuel D. Davis. Mr. Samuel Shellabarger
vs. Appellant. of counsel for the ap-
H. G. Berson, Sheriff &c. pellant submitted to the
consideration of the
Court a motion to advance this cause.

James O. Crenshaw. Mr. H. O. Claughton
vs. Appellant of counsel for the
The United States. appellant submitted
to the consideration of the Court a motion to advance this cause.

319. Pullman's Palace Car Co. vs. Appellant. H. H. Hayward, Treasurer, et al. — Mr. L. B. Kellogg, of counsel for the appellee submitted to the consideration of the Court a motion to advance this cause. Mr. E. T. Isham of counsel for the appellant, submitted suggestions in relation to said motion.

762. The Chicago, Milwaukee & St. Paul Railway Co. vs. Plff. in Error. The State of Minnesota ex rel. The Railroad & Warehouse Commission of the State of Minnesota.

1113. The Minneapolis Eastern Ry. Co. vs. Plff. in Error. The State of Minnesota ex rel. The Railroad & Warehouse Commission of the State of Minnesota. — Mr. Enoch Totten, in behalf of counsel, submitted to the consideration of the Court motions to advance these cases.

1212. Kent County, Michigan vs. Appellant. George W. Hardman. — The motion for a writ of supersedeas in this

cause was argued by Mr. James Carr, in suppot of the same, and Mr. John B. Henderson, in opposition thereto.

Dan Cameron, Appellant
1358 vs.
The United States.

Mr. A. J. Ellis of counsel for the appellant — submitted to the consideration of the Court a motion to advance this cause.

William Milne, Executor etc. Plff. in Error.
1184 vs.
Ann Maria Lee.

Mr. B. C. Perkins of counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause.

Joseph Wainwright et al. Pltffs. in Error.
1172 vs.
W. H. Robertson, Collector etc.

On motion of Mr. H. B. Brewer, of counsel for the plaintiffs in error, and consent of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, continued until the next Term.

39. Jesse Spalding, Collector etc. vs. Plff. in Error George G. Hodder et al. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. H. E. Prescott, in support of the same, and Mr. Solicitor General Chapman in opposition thereto.

27. Jared E. Redfield. vs. Plff. in Error William P. Parks et al. Mr. W. S. Pierce in behalf of counsel for the plaintiff in error submitted to the consideration of the Court a motion for leave to file additional printed briefs and for leave to make an oral argument in this cause.

701. The Kaukauna Water Power Company et al. vs. Plffs. in Error The Green Bay & Mississippi Canal Co. The motion to dismiss in this cause was submitted to the consideration of the Court

on the record and printed arguments by Mr. Moses Hooper, in support of the same and Mr. O. L. Cary and Mr. D. S. Ordway in opposition thereto.

The Desert Salt Company.
736 vs Plff. in Error.
D. P. Darpey.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. B. S. Varian, in support of the same, and Mr. P. L. Williams, in opposition thereto.

David Shordon
1098 vs Appellant.
De Witt C. Reed et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. William G. Howard in support of the same and Mr. Edwin A. Ripley in opposition thereto

Julius W. Sobral
12. vs Appellant.
Alfred Marchand.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause being called for hearing in its regular order and the authority of counsel for the appellant to dismiss this cause having been filed, It is therefore, in pursuance of said authority, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

H. J. Springfield, C. E. Stanley & P. B. Snyder. vs. George H. Thomas. — In Error to the Circuit Court of the United States for the Eastern District of Tennessee.

114.

This cause being called for hearing in its regular order, and the authority of the counsel for the plaintiffs in error to dismiss this cause having been filed, It is, therefore, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be, & the same is hereby, dismissed with costs.

Hezekiah Bradford
vs. Pff. in Error.
Harriet B. Miller et al.,
Administratrix etc.

On motion of Mr. R. D. Mussey, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed.

Charles L. Brush et al.
vs Appellants.
L. Harrison Bondi et al.

The argument of this cause was commenced by Mr. W. H. Kenyon of counsel for the appellants and continued by Mr. Edmund Wetmore, of counsel for the appellees

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, October, 16th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. O. H. Clarke it is ordered that Walter Lyon, Esquire of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Sarah E. Redfield
vs. Plff in Error.
William A. Hurke et al.

On consideration of the motion for leave to file additional printed briefs in this cause, It is ordered by the Court that counsel for the plaintiff in error be and he is hereby granted leave to file a printed brief in this cause, and that leave be also granted counsel for the defendants in error to file a printed brief within two weeks from the receipt of a copy of the brief for the plaintiff in error.

27.

Sebastian Gutsau, Assignee of
The Peoples Bank of Belleville
vs. Appellant.
The Manufacturers National
Bank of Chicago et ab.

Mr. F. O. Conaughy of counsel for the appellant, suggested the death of Sebastian Gutsau and the appointment of Henry E. Schrader as his successor, and moved the Court that the said Henry E. Schrader, as Assignee of The Peoples Bank of Belleville be made the party appellant in this cause. Whereupon, It is now here ordered by the Court that the said Henry

1370

E. Schrader, as assignee of The Peoples Bank of Belleville &c, and he is hereby, made the party appellant in this cause

David Hostetter, surviving partner of the firm of Hostetter and Smith. vs. Appellant D. C. Gray et al.

Mr. A. H. Clarke of counsel for the appellant suggested the death of David Hostetter the appellant in this cause, and moved the Court to make D. Herbert Hostetter, Administrator of the said David Hostetter, the party appellant herein. Whereupon, it is now here ordered by the Court that the said D. Herbert Hostetter, Administrator of David Hostetter, deceased, &c, and he is hereby, made the party appellant in this cause.

D. Herbert Hostetter, Administrator of David Hostetter, deceased. vs. Appellant. D. C. Gray, and Alexander H. Miller et al., Executors of Wm. W. Bettschoover, deceased.

Mr. A. H. Clarke, of counsel for the appellant suggested the

death of A. C. Gray, one of the appellees in this cause, and moved the Court for an order, under the 15th Rule, to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said A. C. Gray, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court the appellant shall be entitled to open the record, and, on hearing, have the decree reversed if it be erroneous. Provided, however, That a copy of this order shall be printed in some newspaper of general circulation in the State of Pennsylvania for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

D. Herbert Hostetter, Admr. &c. vs. A. C. Gray et al. Appellant.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

	The Washington & Georgetown R. R. Co.	Ordered by the Court that
21.	vs. Pff. in Error	this cause be,
	The District of Columbia.	and the same
		is hereby passed.

	Charles F. Brush, et al.	The argument
9	vs. Appellants	of this cause was
	E. Harrison Candit et al.	continued by Mr.
		Edmund Wetmore

of counsel for the appellees, and concluded by Mr. W. A. Meyer of counsel for the appellants.

	Samuel Hill et al.	Ordered by the Court
10	vs. Appellants	that this cause be,
	Daniel B. Wooster.	and the same is
		hereby passed sub-

ject to the provisions of section 9. Rule 36.

	The Union National Bank	The argument
	of Chicago et al.	of this cause
13	vs Appellants	was commenced by Mr.
	The Bank of Kansas City et al.	S. C. Doug-

ers of counsel for the appellants, and continued by Mr. Henry M. Bee and Mr. C. H. Dean, of counsel for the appellees.

Explanation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday. October. 17th. 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright. Esquire. Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that John C. Denny. Esquire of Sullivan State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. Brown it is ord-

ed that G. W. Ritter Jr. Esquire, of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Jesse Spalding, Collector etc.	Ordered by the
93	vs. Eff. in Error	Court that this
	George G. Stodder et al.	cause be, and
		the same is here-

by, passed.

	The Virginia Midland Rail-	Appeal from the
	way Company.	Circuit Court of
156	vs. Appellant.	the United States
	George B. Wickins, Receiver of	for the Eastern
	The Alexandria and Wash-	District of Vir-
	ington Railroad.	ginia.

This cause having been called to the attention of the Court by Mr. Linden Kent, of counsel for the appellant, and a motion by the appellant to dismiss this cause having been filed, It is therefore in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same

is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

The Union National Bank of Chicago et al ... Appellants vs. The Bank of Kansas City et al. — On argument of this cause was continued by Mr. C. H. Dean, of counsel for the appellees, and concluded by Mr S. C. Douglass, of counsel for the appellants.

13.

Jesse Spalding, Collector etc. ... Plff. in Error vs. George F. Stodder et al — On motion of Mr. Solicitor General Chapman, of counsel for the plaintiff in error, and consent of Mr. H. E. Dreman, of counsel for the defendants in error, It is ordered by the Court that the certified copy of the stipulation waiving a jury trial in the Court below in this cause be made a part of the transcript of record in this Court.

33.

W. H. Robertson, late Collector etc. ... Plff. in Error vs. The Frank Brothers Company. — This cause was argued by

15

Mr. Solicitor General Chapman of counsel for the plaintiff in error and Mr. Henry B. Brewman, of counsel for the defendant in error.

W. B. Washburn and Emma Richardson, Executors &c., et al. vs. Appellants.
Isabel Drew & William Bond, Trustees et al.

The argument of this cause was commenced by Mr. Hyman N. Morris, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, October 18th, 1889

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. O. D. Barrett it is ordered that Anthony B. Bright, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry E. Rocket it is ordered

that Henry E. Garrett, Esquire, of Chambersburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

41 The St. Louis & San Francisco Railway Company ... vs. Appellants. Walter S. Johnston. ... Ordered by the Court that this cause be, and the same is hereby passed subject to the provisions of section 9. Rule 16.

19 W. C. Washburn and Emma Richardson, Executors &c. et al. vs. Appellants Isabel Green and Wm Bond, Trustees et al. The argument of this cause was continued by Mr. L. O. Morris, of counsel for the appellants, and Mr. Davis & Hays, Mr. E. J. O'Brien, Mr. J. Hubley Ashton and Mr. O. O. McKnight, of counsel for the appellees, and concluded by Mr. L. O. Morris, of counsel for the appellants.

Robert L. Campbell
vs. Aff. in Error
Samuel H. Wade.

This cause was argued by Mr. John B. Rector, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. October 21st. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M Wright. Esquire, Marshal
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. D. Barrett it is ordered that Andrew B. Patton, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Randolph Tucker it is ordered

That William W. Larkin, Esquire of Lynchburg, State of Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. C. B. Matthews it is ordered that Charles A. Stephens, Esquire of Cincinnati State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Calderon Carlisle it is ordered that William C. Johnson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chapin Brown it is ordered that William Dwombly, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Solicitor General Chapman it is ordered that J. L. Carney, Esquire, of Marshalltown and James B. Davis, Esquire, of Keokuk, State of Iowa, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Metropolitan Railroad Company ..... vs. The District of Columbia. Pff. in Error

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter judgment for the defendant on the demurrer to the plea of the Statute of Limitations.

Pullman's Palace Car Co. Appellant
vs.
H. H. Hayward, Treasurer &c. et al.

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On consideration of the motion to advance this case to be heard with the case of Pullman's Palace Car Co. Plff. in Error, vs. The Commonwealth of Pennsylvania, No. 6, on the docket for the present term, It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

The Kaukauna Water Power Company et al.
vs. Plffs. in Error.
The Green Bay & Mississippi Canal Company.

701

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the case on its merits.

per Mr. Chief Justice Fuller.

The Desert Salt Company. On consideration
736. vs. Pff. in Error of the motions to
D. P. Dimpsey. dismiss or affirm
in this cause, and
of the argument of counsel thereupon had, as well
in support of as against the same, It is now here
ordered by the Court that said motions be, and
the same are hereby, denied.

per Mr. Chief Justice Fuller.

The Chicago, Milwaukee & St. Paul On consider-
Railway Company. ation of the
1162. vs. Pff. in Error motions to
The State of Minnesota ex. rel: The advance these
Railroad & Warehouse Commission cases, It is
of the State of Minnesota. now here or-
and dered by the
The Minneapolis Eastern Railway Co. Court that
1113 vs. Pff. in Error. said motions
The State of Minnesota, ex rel: The be, and the
Railroad & Warehouse Commission same are
of the State of Minnesota. hereby, granted
and the
cause will hereafter be set down for argument before
a full Court. per Mr. Chief Justice Fuller

James O. Crenshaw
1081. vs. Appellant
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the first Monday in January next.

per Mr. Chief Justice Fuller.

Daniel Shordon.
1098 vs. Appellant.
De Witt C. Reed, Asher C. Reed & Adaline Hill, partners, doing business under the firm-name & style of D.C. & A.C. Reed & Co.

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Colin Cameron
1138 vs. Appellant.
The United States.

On consideration of the motion to advance in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

William Miller, Executor &c
1184 vs. Pff. in Error.
Ann Maria Dean.

On consideration of the motion to advance in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the first Monday in January, after the case heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Samuel A. Davis
1241 vs. Applicant
A. G. Reason, Sheriff &c.

On consideration of the motion to advance in this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause as-

signed for argument on the second Monday in November next.

per Mr. Chief Justice Fuller.

The State of Minnesota
1346. vs. Appellant
Henry E. Barber.

Mr. Gordon E. Cole, of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

Ex parte: In the matter of Martha W. Dougherty, individually, and as Executrix of Byron D. Ball, deceased. and Joseph H. Dougherty. Petitioners.

Mr. Joseph H. Dougherty submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus and for a rule to show cause why said writ should not issue.

Ex parte: In the matter of Charles H. Wright. Petitioner

Mr. H. M. Ruffin of counsel for the petitioner, submitted to the consideration

of the Court, a motion for leave to file a petition for writs of habeas corpus and certiorari.

David K. Hill
v. Pff. in Error
Mary J. Sumner.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. W. M. Patterson and Mr. B. F. Thomas, of counsel for the plaintiff in error, and Mr. L. C. Lockwood, of counsel for the defendant in error.

114 U.S.

Henry Leo Nelson
v. Pff. in Error
William Standing,
Theodore LeRoy et al.

Mr. Calderon Carlisle of counsel for the defendants in error, having filed in open Court the following certificate, to wit:

"Henry Leo Nelson
Plaintiff in Error
v.
William Standing, Theodore LeRoy, John Doe, Richard Roe, & the Sheriff,

No. 688
In U. S.
Circuit Court

& Whereas there, the last four named defendants are sued by fictitious names, their real names being unknown.

Defendants in Error.

I, the undersigned, L. A. C. Sawyer the Clerk of the Circuit Court of the United States in and for the Ninth Circuit, Northern District of California, do hereby certify that the above entitled action was an action of ejectment brought by the above mentioned plaintiff in error against the above mentioned defendants in error, in the said Circuit Court for the recovery of certain land in the City and County of San Francisco, State of California: That on the 28th. day of August, 1868, a judgment was rendered in said action by said Circuit Court in favor of the defendants therein and against the plaintiff therein that said plaintiff take nothing by his said action: That a writ of error to the Supreme Court of the United States in said action was duly sued out by the plaintiff therein, Henry Lee Nelson, which writ of error was duly allowed by

said Circuit Court, and a return thereto duly made by the Clerk of said Circuit Court on the 21st day of November 1868.

Witness my hand and the seal of said Circuit Court this 11th day of October 1889.

[Seal]

L. L. B. Sawyer, Clerk.

by E. A. Mouckton, Deputy Clerk."

moved the Court to docket and dismiss this cause, pursuant to the 9th rule: and it appearing to the Court that the plaintiff in error has failed to have this cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court, that the writ of error in this cause to the Circuit Court of the United States for the Northern District of California, be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Waite

Henry Leo Nelson
vs. Pff. in Error
William Standing et al

On motion of Mr. Solomon Carlisle of counsel for the defendants in error,

Leave is hereby granted the Clerk to issue the mandate in this cause.

The United States of America
vs.
The State of North Carolina

Mr. F. H. Chubbee, of counsel for the United States of America,

submitted to the consideration of the Court a motion for leave to bring suit in this Court against the State of North Carolina, upon the cause of action specified in the declaration attached to said motion.

No. 777

H. H. Scott
vs. Appellant
George H. Ellery.

Mr. John W. Warner, of counsel, suggested the death of H. H. Scott, the appellant in this cause, and moved the Court to make Evelina Scott, Executrix of the said H. H. Scott, the party appellant in this cause. Whereupon, It is now here ordered by the Court that the said

Evelina Scott. Executrix of H. H. Scott, deceased, be and she is hereby, made the party appellant herein.

Hiram L. Brown, Calvin P. Brown, Oliver L. Pike, William L. Brown and Harvey Pettit. vs. Appellants. The Lansing Wheel Barrow Company.

1463. Mr. C. J. Hunt of counsel for the appellees having filed in open Court

the following certificate, to wit:

The Circuit Court of the United States for the Eastern District of Michigan. In Equity

Hiram L. Brown, Calvin P. Brown, Oliver L. Pike, William L. Brown, and Harvey Pettit. — Complainants. No. 2440.

vs.

The Lansing Wheel Barrow Company

I, Walter L. Harsha, Clerk of the Circuit Court of the United States for the Eastern District of Michigan do hereby certify that a final decree was entered in said above entitled cause

February 4th 1868, dismissing complainants bill with costs: that on March 30th complainants claim of appeal to the Supreme Court was allowed: that on April 16th complainants bond on appeal was filed: and on October 14th a letter was received by said Clerk from H. H. Stuart, complainants solicitor, saying that the appeal would not be further prosecuted. Therefore no record was ever made up or sent to the Supreme Court.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court at Detroit, in said District, this fourteenth day of October A.D. 1887 and the Independence of the United States of America the one hundred and fourteenth.

[Seal].

Walter S. Harsha, Clerk."

moved the Court to docket and dismiss this cause, pursuant to the 9th. rule: and it appearing to the Court that the appellants have failed to have this cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged

and decreed by this Court that the appeal from the Circuit Court of the United States for the Eastern District of Michigan, be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

The Gate Refrigerating Co. vs. Joseph Eastman. And Abraham Shenfield vs. The Washawannuck Manufacturing Company et al.

80. 1117

On motion of Mr. Arthur A. Birney, in behalf of counsel and consent of counsel for the respective parties, it is ordered by the Court that these cases be passed, subject to the provisions of section 9, Rule 26.

The Inland & Seaboard Coasting Company vs. Francis A. Tobey.

532.

On motion to dismiss in this cause was submitted to the consideration of

the Court on printed arguments by Mr. Arthur J. Birney and Mr. C. C. Cole, in support of the same, and Mr. Nathaniel Wilson in opposition thereto.

L. H. Young et al.
75 vs. Appellants
E. B. Knight. Admr. etc.

Mr. C. C. Cole, in behalf of counsel for the appellees, submitted to the Court suggestion of the diminution of the record and a motion for a writ of certiorari in this cause.

Thomas H. Miller et al
737 vs. Appellants
The Texas & Pacific Railway Co. et al.

Martha R. Worrall et al.
867 vs. Appellants
The Texas & Pacific Railway Co. et al.
And
William Dunlap et al.
868 vs. Appellants
The Texas & Pacific Railway Co. et al.

Mr. Enoch Totten, in behalf of counsel, submitted to the Court a motion of the Court a motion for leave to counsel in these cases to file additional printed arguments

Frederick Mutter et al. Trespass &c
71 vs Pltf in Error Mr. W. Stratton
Anthony B. Morrow et al. Counsel for
the plaintiffs

in error submitted to the consideration of the Court a motion and consent of counsel for the defendants in error to amend the transcript of the record in this cause.

56. Thomas L. Hudson, Pltf in Error vs Samuel L. Chambers, Dr.
1065 Joseph Bryan " " " " " The State of Virginia.
1066 James P. Cooper " " " " " " " " " "
1067 John Mc. Gahey. " " " " " " " " " "
1068 H. W. Elliott " " " " " " " " " "
1117 J. Fitzgerald, Sergeant, Appellant vs Charles Green.
1118 W. L. Downes Sergeant. " " " Wilson Lowry.

Ordered by the Court that these cases be, and they are hereby, passed for hearing before a full bench.

The United States.
51 vs Pltf in Error
Timothy Barrow et al

On motion of Mr. P. L. Sayre, of counsel for the appellants in case No. 45 on

Monday October 21st, 1867. Continued.

the docket for the present Term. And counsel of all the counsels in the case and the Clerk of the Court is ordered by the Court that the same be substituted for the case in the case of the docket and vice versa.

William D. Thompson et al. vs. Appellants
The White Water Valley Rail-road Company et al

The motion to dismiss in this cause was argued by Mr. W.H.H. Miller in support of the same, and Mr. P.B. Watkins in opposition thereto. The cause was then argued on its merits, by Mr. P.B. Watkins, of counsel for the appellants, and Mr. W.H.H. Miller, of counsel for the appellees.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Tuesday, October 22d. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley, Associate
John M. Harlan, Justices.
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. S. Worthington it is ordered that Fred. E. Packer, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. Davis it is ordered that

Edward H. Allen Esquire of Kansas City State of Missouri and John C. Gillis, Esquire of Davenport and W. B. Collins, Esquire of Sioux City State of Iowa be admitted to practice as Barristers and Counsellors of this Court and they were sworn accordingly.

1084 Charles E. Cross et al. vs. Plffs. in Error. The State of North Carolina. This cause was argued by Mr. W. N. Henry of counsel for the plaintiffs in error, & Mr. Theodore F. Davidson of counsel for the defendant in error.

114. William Jackson Master &c. vs. Plff. in Error Allen, West & Bush et al. &

115 Brown Brothers & Company. vs. Plffs. in Error. Allen, West & Bush et al. The argument of these cases was commenced by Mr. Bird Key of counsel for the plaintiffs in error in No. 115 and continued by Mr. Lyman Trumbull & by Mr. John W. Allen, of counsel for the defendants in error.

Proclamation being made the Court is adjourned

Wednesday. October. 23rd. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright. Esquire. Marshal.
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. B. Hardy it is ordered that Henry W. Palmer, Esquire, of Wilkesbarre, State of Pennsylvania, and George M. Pillman, Esquire, of Nashville, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Samuel D. Davis ..... Continuation of Mr.
43 ..... vs. Appellant. Samuel Shoemaker's
H. L. Brown, Sheriff &c. counsel for the
appellant. It is or-
dered by the Court that this cause be, and
the same is hereby, reassigned for argu-
ment on the second Monday in December
next.

William Jackson, Master &c. The argument
44 ..... vs. Plffs. in Error. of these cases
Allen, West & Bush et al. was continued
And ..... by Mr. John M.
Brown Brothers & Company Allen, of coun-
45 ..... vs. Plffs. in Error sel for the de-
Allen, West & Bush et al. fendants in
..... error. And con-
cluded by Mr. E. L. Bayne, of counsel for the
plaintiffs in error in No. 45.

Case No. 44 was submitted on printed
arguments for the plaintiffs in error by Mr.
E. H. Farrar and Mr. E. D. Kruttschnitt,
of counsel.

34. Joseph B. Young
vs. Appellant
The Township of Varnden et al

The cause was argued by Mr. John D. Pratt, of counsel for the appellant, and Mr. Isaac Marlow and Mr. W. F. Gibson, of counsel for the appellee.

35 Augustus Day.
vs. Appellant
The Bay Haven & Westville Railway Company.

The argument of this cause was commenced by Mr Charles F. Hunt, of counsel for the appellant.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Thursday, October, 24th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford,
Lucius L. C. Lamar.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. George W Biddle it is ordered that John Samuel and M. Hampton Dodd, Esquires, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

36. The Pennsylvania Railroad Co vs Pff. in Error George R. Duncan. Mr. Wayne Mac. Vaghn of counsel for the plaintiff in error, suggested the death of George R. Duncan, the defendant in error in this cause, and moved the Court to make P. H. Miller, Administrator of the said George R. Duncan, the party defendant in error herein, pursuant to a Stipulation of counsel. Whereupon, It is now here ordered by the Court that the said P. H. Miller, Administrator of George R. Duncan, deceased, be, and he is hereby, made the party defendant in error in this cause.

45. Augustus Kay. vs Appellant The Fairhaven & Westville Railway Company. The argument of this cause was continued by Mr. Charles J. Hunt, of counsel for the appellant, and Mr. W. C. Simonds of counsel for the appellee, and concluded by Mr. Hunt for the appellant.

The Pennsylvania Railroad Co. vs. P.H. Miller Administrator &c. — Pff. in Error. — The argument of this cause was commenced by Mr Wayne Mac Veagh of counsel for the plaintiff in error and continued by Mr. R.P. Watson and Mr. W. Hampton Dodd of counsel for the defendant in error.

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Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Friday. October, 25th. 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire. Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. A. P. Thomas it is ordered that Francis P. Fleming, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

36 The Pennsylvania Railroad Co. vs. C. H. Miller, Administrator &c. In Error. The argument of the cause was continu-

ued by Mr. W. Hamilton Booth of counsel for the defendant in error, and concluded by Mr. Wayne MacVeagh of counsel for the plaintiff in error.

Charles Marchand ... This cause was ar-
37. ... vs. ... Appellant. gued by Mr. W. H.
Frederick Eulow. L. Lee of counsel for
the appellant. No
counsel appeared for the appellee.

Ch. Keyser, Receiver &c. The argument of
42. ... vs. ... Pff. in Error. this cause was
Jane C. Hitz. ... commenced by
Mr. Leigh Robin-
son, of counsel for the plaintiff in error, and continued by Mr. Enoch Totten, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday. October, 28th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Charles H. Aldrich, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Ambler Smith it is ordered

that Robert J. Downing Esquire, of Fort Scott, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Chapman it is ordered that Howard E. Thompson, Esquire, of Lawrence, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that Samuel D. Crimble, Esquire, of Washington, District of Columbia, and Charles H. Lawrence, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered that James H. Howe, Esquire of St. Paul

State of Illinois, and Augustus Prentice, Esquire of New York City, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

George G. Dent, Thomas Buchanan, James E. Dillard, William Barbour, Sarah L. Dent, H. Buchanan, John Johnson, J. W. Fraser, R. A. Parker, The Real Estate Building and Loan Association, Susan Dent, Mary Dent, Henry G. Dent jr., Susan P. Hooper and W. G. Hooper. ——— Appellants

vs. ——— Appeal from the Circuit Court of the United States for the Western District of Tennessee.

33. Isaac A. Ferguson, E. E. Ferguson, William H. Ferguson, and Albert L. Ferguson, heirs at law of William Ferguson, deceased: Elmer P. Ferguson, Ann J. Ferguson, Sarah Barker, Pascal Jacoby and R. A. Jacoby.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel On

consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill with costs. ..... per Mr. Justice Lamar.

William H. Robertson, late Collector of the Port of New York. — In Error to the Circuit Court of the United States for the Southern District of New York.

15 vs. — Jeff. in Error

The Grant Brothers Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that

similar judgments bear in the Courts of the State of New York.

per Mr. Justice Bradley.

Robert H. Campbell
vs. Pltf. in Error
Samuel H. Wade

In Error to the Supreme Court of the State of Texas.

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This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Field.

L. H. Young et al.
vs. Appellants
E. B. Knight, Admr. etc.

On consideration of the suggestion of a diminution of the record and motion

75.

for a writ of certiorari in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted:

the question of costs incident thereto being reserved until the final hearing.

per Mr. Chief Justice Fuller.

737. Thomas H. Miller et al. Appts. v. The Central Pacific Railway Co. et al

867. Martha R. Worrall et al. " " " " " " " " " " "

868. William Dunbar et al. " " " " " " " " " " "

On consideration of the motion for leave to counsel for the respective parties in these causes to file additional printed arguments herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The State of Minnesota. Appellant.

1346 vs.

Henry E. Barber

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument before a full bench.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Martha M. Dompkins individually and as Executrix of Byron D. Ball, deceased, & Joseph H. Dompkins. Petitioners. On consideration of the motion for leave to file a petition for a writ of mandamus, herein, It is now here ordered by the Court that said motion be, & the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte; In the matter of Charles H. Wight. Petitioner. On consideration of the motion for leave to file a petition for writs of habeas corpus and certiorari herein, It is now here ordered by the Court that the disposition of the said motion be, and the same is hereby, suspended, pending the prosecution of an appeal from the judgment of the Circuit Court of the United States for the Eastern District of Michigan discharging a writ of habeas corpus

per Mr. Chief Justice Fuller.

The United States of America. vs. The State of North Carolina. Plaintiff

On consideration of the motion for leave to the United States of America to bring a suit in this Court against the State of North Carolina, It is now here ordered by the Court that said motion be, and the same is hereby granted.

per Mr. Chief Justice Fuller.

William Jackson, Master of the Steamship "Councillor." vs. Allen, West and Bush: Brown, Brothers and Co. et al. and Brown, Brothers and Company. vs. Allen, West and Bush et al.

444 445 Pffs. in Error

In Error to the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana on separate writs

of error and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: costs in this Court to be paid by the respective plaintiffs in error: and that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to remand the cause to the State Court.

per Mr. Chief Justice Fuller.

Knox County Missouri.
vs. Appellant.
George W. Harshman.

On consideration of the motion for a writ of supersedeas in this cause,

1212

and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The United States.
vs. Appellant.
John A. Walsh.

Mr. I. C. Thomas, of counsel for the appellee suggested the

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death of John A. Walsh, the appellee herein, and moved the Court to make John G. Agar, Administrator of the said John A. Walsh, the party appellee in this cause. Whereupon, It is now here ordered by the Court that the said John G. Agar, Administrator of John A Walsh, deceased be, and he is hereby, made the party appellee in this cause.

John Flinn, Trustee &c. vs. Plff. in Error.
Charles Dawsig & Morris Dawsig.

307. Mr. Conway Robinson for in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for an order making John J. Dawsig and George W. Dawsig, Executors of Charles Dawsig, deceased, parties defendants in error herein pursuant to their appearance on file, and also to make Jane Dawsig, Executrix of Morris Dawsig, deceased, a party defendant in error herein, or for such order in the premises as to the Court may seem proper

William Bowner.
120 vs. Appellant.
Thomas B. Bodie et al.

The motion for a writ of certiorari in this cause was argued by Mr. J. E. Hudson Hyde, in support of the same and Mr. Pue Brisco, in opposition thereto.

The Kansas Cash Railway Company.
360 vs. Appellant.
Joseph C. Martin & Arthur G. Hill.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause having been called to the attention of the Court by Mr. W. B. Phillips, of counsel for the appellant, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

	Cinthia O. Smallwood et al. Executors etc.	Mr. W. A. McKinney in behalf of counsel for the plaintiff in error
1347	vs. Pff. in Error.	
	The Liverpool & London & Globe Insurance Company	

submitted to the consideration of the Court a motion to advance this cause.

	Timothy Case Receiver etc.	Mr. W. A. McKinney in behalf of counsel for the appellants. submitted to the con
2.	vs. Appellants.	
	David W. Kelly. Henry Ketchum et al.	

sideration of the Court a motion for an order making the representatives of Henry Ketchum, deceased, parties appellees in this cause, or for such order in the premises as to the Court may seem proper.

	The Hastings & Dakota R.R. Co	Mr. Gordon E. Cole, of counsel for the plaintiffs
149.	vs. Pff. in Error.	
	Julia A. Whitney et al.	

in error, submitted to the consideration of

Monday, October, 28th, 1889. Continued.

William Roemer. Vs. Appellant. Thomas B. Peddie et al. — The motion for a writ of certiorari in this cause was argued by Mr. J. E. Hudson Hyde, in support of the same and Mr. A. A. Brisco, in opposition thereto.

The Kansas Pacific Railway Company. Vs. Appellant. Joseph C. Martin and Arthur G. Hill. — Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause having been called to the attention of the Court by Mr. W. B. Phillips, of counsel for the appellant, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Amelia A. Gunther et al. Executors etc.
367 vs. Plffs. in Error.
The Liverpool & London & Globe Insurance Company

Mr. W. A. McKenney in behalf of counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause.

Timothy Carr Receiver etc.
2. vs. Appellant.
David M. Kelly. Henry Ketchum et al.

Mr. W. A. McKenney in behalf of counsel for the appellant, submitted to the consideration of the Court a motion for an order making the representatives of Henry Ketchum, deceased, parties appellees in this cause, or for such order in the premises as to the Court may seem proper.

The Hastings & Dakota R.R. Co.
149. vs. Plff. in Error.
Julia A. Whitney et al.

Mr. Gordon E. Cole, of counsel for the plaintiffs in error, submitted to the consideration of

the Court a motion to amend the transcript of the record in this cause in accordance with the stipulation filed herein.

The People of the State of California. — vs. — Plffs. in Error. — The San Pablo and Tulare Railroad Company. — 1167. — Mr. J. D. Johnson, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

Thomas Cunningham, Sheriff etc. — vs. — Appellant. — David Heagle. — 1472. — Mr. J. D. Johnson, of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

Stutsman County. — vs. — Appellant. — Charles S. Wallace et al. — 728. — The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. H. Baldwin, in support of the same

and Mr. John B. Allen in opposition thereto.

1086 The Yazoo & Mississippi Valley Railroad Company, Plff. in Error vs. Samuel B. Thompson Sheriff &c. This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. James Pentress and Mr W. P. Harris, of counsel for the plaintiff in error, and Mr. J. M. Miller and Mr. Marcellus Green, of counsel for the defendant in error.

1087 The Yazoo & Mississippi Valley Railroad Company, Appellant. vs. The Board of Levee Commissioners of the Yazoo Mississippi Delta &c. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. James Pentress and Mr. W. P. Harris, of counsel for the appellant, and Mr. Marcellus Green, of counsel for the appellees.

	J. G. Mc. Call	This cause was sub-
1170	vs. Plff. in Error	mitted to the consider-
	The People of the State	ation of the Court, pur-
	of California.	suant to the 20th. rule
		on the record and print-

ed arguments by Mr. Joseph P. Kelly of counsel for the plaintiff in error, and Mr. James D. Page of counsel for the defendants in error.

	L. U. Reavis, Receiver &c.	The argument of
42	vs. Plff. in Erro.	this cause was
	Jane P. Hitz.	continued by Mr.
		Enoch Totten of

counsel for the defendants in error, and concluded by Mr. Leigh Robinson, of counsel for the plaintiff in error.

	Joseph Arow	The argument of this
43	vs. Appellant	cause was commenc-
	The Manhattan Railway Co.	ed by Mr. Wm. B.
		Phillips, of counsel for

the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, October 29th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. D. W. Gallwadge, it is ordered that Charles A. Sawyer, Esquire, of Meriden, State of Connecticut, be admitted to practice as an attorney and counsellor of law and he was sworn accordingly.

Henry Lyng ... Mr. Howard
1219 vs. Pff. in Error ... E. Thompson
The People of the State of Michigan. of counsel

for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Robert S. Hale, Plff. in Error
vs
Gottlieb Scherer and William Krauch.

Mr. W. H. Wanderhall of counsel for the defendants in error, having filed in open Court the following certificate, to wit:

"Territory of Montana
In Supreme Court.
Gottlieb Scherer & William Krauch,
Plaintiffs & Respondents.
vs
Robert S. Hale
Defendant & Appellant.

I, R. L. Word, Clerk of the Supreme Court of the Territory of Montana, do hereby certify that the above entitled cause was pending on appeal from the District Court of the First Judicial District of Montana Territory, within and for the County of Lewis & Clarke, at the July A.D. 1889. term of this Court: That

on the 3rd day of August A.D. 1889. —— (that being one of the days of the Court of said July Term) final judgment was rendered therein as follows, to wit:

"This cause came on this day for the "decision and judgment of this Court on Respondent's motion to dismiss the appeal. "Whereupon, on consideration, It is now "ordered and adjudged by this Court that "said appeal be dismissed and that the "judgment and order of the Court below be "affirmed with costs.

"Justice Back delivered the opinion of "the Court. Justice De Wolfe & Justice Liddell concurring. Chief Justice Blake did not "sit.

I further certify that on the 2nd day of October a writ of error to the Supreme Court of the United States was sued out in the above entitled cause by the above named defendant, Robert S. Hale, as plaintiff in error against the said Gotlieb Schurr and William Kranich, defendants in error, and that on the date last aforesaid a citation thereon was duly issued and served

and a bond filed by said plaintiff in error and a supersedeas was thereupon duly granted.

In Testimony, I have hereunto subscribed my name and affixed the seal of said Supreme Court at Helena, Montana, this 24th day of October, Anno Domini, one thousand, eight hundred and eighty-nine.

[Seal]

R. L. Word.

Clerk of the Supreme Court
Territory of Montana.

Moved the Court to docket and dismiss this cause pursuant to the 7th. rule: and it appearing to the Court that the plaintiff in error has failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the Territory of Montana be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded

in according to law and justice.

per Mr. Chief Justice Fuller.

149 The Hastings & Dakota Railroad Company. vs. Plff. in Error. Julia D. Whitney et al. On consideration of the motion to amend the transcript of the record in this cause, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded for forwa the certificate of the Clerk of the Supreme Court of the State of Minnesota heretofore filed herein to be taken as a return to said writ.

per Mr. Chief Justice Fuller.

150 William Roemer. vs. Appellant. Thomas B. Peddie et al. On consideration of the suggestion of a diminution of the record and motion for a writ of certiorari in this cause and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court

that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

James Voorhees Works. William Henry Beatty, Alfred Morgan Cooley, et al. Executors of James Voorhees Works, deceased. ... Plffs. in Error. ... vs. ... The City of Watertown. ... In Error to the Circuit Court of the United States for the Western District of Wisconsin.

53.

This cause having been called for hearing in its regular order, and a stipulation to dismiss this cause having been filed, It is, therefore on pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Joseph Arow. ... Appellant. ... vs. ... The Manhattan Railway Co. ... The argument of this cause was continued by Mr.

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Mr. B. Philipp, of counsel for the appellants, and Mr. Edwin H. Brown, of counsel for the appellee, and concluded by Mr. Philipp for the appellants.

The United States. The argument of
31. vs. Plff. in Error. this cause was
Bradley Barlow et al. commenced by Mr.
Assistant Attorney
General Maury, of counsel for the plaintiff in error, and continued by Mr. Nathaniel Wilson, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Wednesday, October, 30th, 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius L. C. Lamar.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

1188. Howard Potter Appellant. vs. James Couch.
1189. William B. Hale, " " " James Couch et al.
1190. George B. Johnson " " " James Couch et al. Trustees.
1191. Caroline C. Johnson et al Appts. vs. James Couch et al.
1192. James Couch, Appellant. vs. Caroline E. Couch et al.

These cases were submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. Henry B. Mason, of counsel for Howard Potter.

Mr. John S. Cooper and Mr. John G. Reid, of counsel for James Couch: Mr. W.L. Willard of counsel for William E. Hale: Mr. D.K. Cheney of counsel for George B. Johnson: Mr. C. Beckwith of counsel for Couch et al. Trustees: Mr. C.H. Aldrich of counsel for Caroline C. Johnson et al. & Mr. C.H. Wood of counsel for Caroline E. Couch et al.

The California Insurance Co. ... This cause
105 ... vs. ... Pff. in Error. ... was submit-
The Union Compress Company. ... ted to the consideration of

the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr E.W. Mc. Graw and Mr. E.W. Kimball, of counsel for the plaintiff in error and Mr. John F. Dillon, Mr. W.W. Ross and Mr G.B Rose, of counsel for the defendant in error.

The United States. ... The argument of
31. ... vs. ... Pff. in Error ... This cause was
Bradley Barlow et al. ... continued by Mr. Nathaniel Wilson,

of counsel for the defendants in error, and

concluded by Mr. Assistant Attorney General Maury of counsel for the plaintiff in error.

William E. Christian et al
vs. Appellants.
The Atlantic & North Carolina
Railroad Company et al.

146

This cause was argued by Mr. J. B. Batchelor and Mr. S. F. Phillips, of counsel for the appellants, and Mr. R. H. Battle of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

Patrick C. Boylan ... This cause was
1140 ... vs. ... Pff. in Error ... submitted to
The Hot Springs Railroad Co. the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. C. C. Bonney of counsel for the plaintiff in error, and Mr. G. W. Kretzinger, of counsel for the defendant in error.

Louis W. Smith,
117 vs. Pff in Error
Richard J. Bolles.

This cause was argued by Mr. W. W. Boynton, of counsel for the plaintiff in error and Mr. E. J. Estep, of counsel for the defendant in error.

Thomas R. Wilson.
118 vs. Appellant
The Cincinnati, Indianapolis, St. Louis & Chicago Railway Co.

This cause was argued by Mr. C. P. Jacobs of counsel for the appellant and Mr. George Payson, of counsel for the appellee.

The Hastings & Dakota Railroad Company.
119 vs. Pff in Error.
Julia A. Whitney et al

The argument of this cause was commenced by Mr. Gordon E. Cole, of counsel for the plaintiff in error

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Friday, November, 15t, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Marcus P. Norton it is ordered that H. G. Wood, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Robert Turner, J. S. Allison, and George E. McClelland. Appellants
vs.
Alfred A. K. Sawyer.

11179.

Mr. Gillmore Clerk of Counsel for the appellee, having filed in open Court, the following certificate, to wit:

"United States of America } ss.
District of Colorado }

In the Circuit Court of the United States for said District.

Alfred A. K. Sawyer
vs.
Robert Turner, J. S. Allison and George E. McClelland.

2125. In Chancery

Bill to cancel a deed for an accounting and for other relief.

I, William A. Willard, Clerk of said Court, do hereby certify, that in the above entitled cause a decree was entered for the complainant on the twentieth day of December 1888: that the defendants prayed an appeal to the Supreme Court on the same day: that on the 16th day of January, 1889, the defendants filed their bond on appeal and citation with proof of service of the same upon the said complainant: that on the second day of De-

tober, 1889, the transcript of the record of this Court in said cause was delivered to the said defendants.

Witness my hand and the seal of said Court at Denver this twenty-fourth day of October A.D. 1889

{Seal}

"William A. Willard, Clerk by F. W. Dupper, Deputy Clerk"

moved the Court to docket and dismiss this cause, pursuant to the 9th. rule: and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of Colorado be, and the same is hereby docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

William H. Robertson, Collector etc.
58. vs. Plff. in Error.
Henry R. Bradbury.
And
William H. Robertson, Collector etc.
59. vs. Plff. in Error.
Louis Lutz et al.

Ordered by the Court that these cases be, and they are hereby, continued until the next term.

The Hastings and Dakota Railroad Company.
49. vs. Plff. in Error.
Julia D. Whitney et al.

The argument of this cause was concluded by Mr. Gordon E. Cole, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

William H. Robertson, Collector etc.,
58. vs. Plff. in Error.
Henry R. Bradbury.
And
William H. Robertson, Collector etc.
59. vs. Plff. in Error.
Louis Lutz et al.

On motion of Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, It is ordered

by the Court that the order continuing these cases until the next term be, and the same is hereby, rescinded and annulled.

William H. Robertson, Collector etc. vs. Pfff. in Error. Mr. Solicitor
59 Jones Lutz et al. for General Chapman of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to dismiss the writ of error in this cause which was opposed by Mr. Edward Hurtley and Mr. W. H. Coleman, of counsel for the defendants in error, who submitted a motion to affirm the judgment herein with costs and interest, which latter motion was opposed by Mr. Solicitor General Chapman, for the plaintiff in error.

The First National Bank of Charlotte N. C. vs. Pff. in Error. This cause was argued by Mr. William
50 E. A. Morgan. E. Earle, of counsel for the plaintiff in error & Mr. J. Balch der of counsel for the defendant in error

William H. Robertson, Collector etc.
58. vs. Plff. in Error.
Henry R. Bradbury.
And
William H. Robertson, Collector etc.
59. vs. Plff. in Error.
Louis Lutz et al.

Ordered by the Court that these cases be, and they are hereby ordered and the same.

The Hastings & Dakota Railroad Company.
17. vs. Plff. in Error.
Julia D. Whitney et al.

The argument of this cause was concluded by Mr. Gordon E. Cole, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

William H. Robertson, Collector etc.
58. vs. Plff. in Error.
Henry R. Bradbury.
And
William H. Robertson, Collector etc.
59. vs. Plff. in Error.
Louis Lutz et al.

On motion of Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, It is ordered

by the Court that the order continuing this cause until the next term be, and the same is hereby rescinded and annulled.

59. William H. Robertson, Collector &c. vs. Louis Lutz et al. Plff. in Error. Mr. Solicitor for General Chapman of counsel for the plaintiff in error.

Submitted to the consideration of the Court a motion to dismiss the writ of error in this cause which was opposed by Mr. Edward Hartley and Mr. W. H. Coleman, of counsel for the defendants in error, who submitted a motion to affirm the judgment herein with costs and interest, which latter motion was opposed by Mr. Solicitor General Chapman, for the plaintiff in error.

50. The First National Bank of Charlotte N. C. vs. E. A. Morgan. Plff. in Error.

This cause was argued by Mr. William E. Earle, of counsel for the plaintiff in error & by Mr. J. Balch elder of counsel for the defendant in error

The Keystone Manganese & Iron Company
51 vs. Appellant
Matt. Martin

This cause was argued by Mr. O. H. Pitman, of counsel for the appellee, and submitted on printed arguments by Mr. W. W. Ross & Mr. E. B. Ross, of counsel for the appellant.

William Bowen
52 vs Appellant
Rand Hunnam et al.

This cause was argued by Mr. J. E. Hindon Hall of counsel for the appellee, and submitted on printed arguments by Mr. A. V. Brisan, of counsel for the appellant.

John W. Wolfe.
54 vs Plff. in Error.
Charles E. Miller & Comit
J. Bolton, Executors &c.

The argument of this cause was commenced by Mr. Edward Hartley, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday. November 4th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Jeremiah M. Wilson it is ordered that Curran A. K. Butler, Esquire, of Evansville, State of Indiana, be admitted to practice as an Attorney & Counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Van H. Manning it is ordered

that Miles Orchard Gilbert, Esquire, of Cairo, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. B. Lewis it is ordered that Henry Chapelle, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus N. Garland it is ordered that Walter C. Hamilton, Esquire, of Rutland, State of Vermont and Charles S. Glenn, Esquire, of Topeka, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Charles F. Brush and The Brush Electric Company	Appeal from the Circuit Court of the
vs.	United States for the
7	Southern District
E. Harrison Condit, Joseph Hanson and Abraham Van Winkle.	of New York.
Appellants	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs

per Mr. Justice Blatchford

The County of Scotland in the State of Missouri vs William Hill. — Plff. in Error. — In Error to the Circuit Court of the United States for the Eastern District of Missouri.

29.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby,

affirmed with costs, and interest from the date of its rendition at the rate of six per cent per annum,.

per Mr. Justice Harlan.

William A. Thompson, Thomas H. Jenkins, Andrew Woody et al. ..... Appellants ..... vs. The White Water Valley Railroad Company &c The Indianapolis, Cincinnati & Lafayette Railroad Company.

Appeal from the Circuit Court of the United States for the District of Indiana.

26.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Timothy Case, Receiver &c. vs. Appellant.
2. David W. Kelly, Henry Ketchum et al. On consideration of the motion for an order making the representatives of Henry Ketchum, deceased, parties appellees in this cause, pursuant to the order of publication issued herein, and due proof of the publication of said order having been made,

It is now here ordered by the Court that unless application is made on behalf of the parties or either of them, on or before the third Monday of this month to submit further argument in this case the case will be taken and considered on the arguments heretofore filed and submitted.

per Mr. Chief Justice Fuller.

Jesse Spalding, Collector &c. vs. Plff. in Error.
33. George F. Stodder et al. On consideration of the motions to dismiss or affirm in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here or-

dered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

William H. Robertson, Collector of the Port of New York. vs. Plff. in Error
59. Louis Lul, Jr. & Joseph Morris. On consideration of the motion of counsel for the defendants in error to affirm the judgment in this cause with costs and interest, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

William H. Robertson, Collector of the Port of New York. vs. Plff. in Error
59. Louis Lul, Jr. & Joseph Morris. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of

New York, and on the motion of Mr. Solicitor General Chapman, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney.

John Slann, Trustee &c
vs
Charles Gaussig & Morris Gaussig.

On consideration of the motion for an order making John J. Gaussig and George W. Gaussig, Executors of Charles Gaussig, deceased, parties defendants in error herein pursuant to the order of publication issued and their appearance on file, and also to make Jane Gaussig, Executrix of Morris Gaussig, deceased, a party defendant in error herein,

It is now here ordered by the Court that the said John J. Gaussig & George W. Gaussig, Executors of Charles Gaussig, deceased, as aforesaid, be, and they are hereby, made parties defendants in error herein.

And it appearing to the Court that due proof of the publication of the order for the appearance of the proper representatives of Morris Dussig, has been made, and the two days mentioned therein having elapsed and there being no appearance of the representatives of the said Morris Dussig, deceased,

It is further ordered by the Court that the default of said representatives be, and it is hereby, taken and entered herein.

per Mr. Chief Justice Fuller.

The Inland & Seaboard Coasting Company. vs. Plff in Error. Francis A. Polson. ... Defendant in Error.

532 In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the writ of error in this cause be, & the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

Sullivan County
238 vs. Appellant.
Charles L. Wallace et al

On consideration of the motions to dismiss or affirm in this cause and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said motions be, & the same are hereby denied.

per Mr. Chief Justice Chase.

Henry Lyng
1219 vs. Plff. in Error.
The People of the State of Michigan.

It is ordered by the Court that the disposition of the motion to advance in this cause be, and the same is hereby, reserved until the filing in this Court of proof of service of said motion on the Attorney General of the State of Michigan.

per Mr. Chief Justice Chase.

Amelia A. Guertin et al. Executors etc.
1367 vs. Plffs. in Error.
The Liverpool & London & Globe Insurance Company.

On consideration of the motion to advance

this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of January next.

per Mr. Chief Justice Fuller.

1177 The People of the State of California. vs. The San Pablo & Tulare Railroad Company. In consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument before a full bench.

per Mr. Chief Justice Fuller.

1178 Thomas Cunningham, Surv. etc. vs. David Neagle. Appellant. In consideration of the said motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument before a full bench.

per Mr. Chief Justice Fuller.

	J. P. Clough, Receiver &c.	Mr. J. M. Wilson
1135	vs. Appellant.	of counsel for the
	E. J. Curtis, Secretary &c.	appellant's submit
	&	ted to the consid
	H. G. Burkhart, Sheriff &c.	eration of the
1134	vs. Appellant	Court a motion to
	S. H. Reed, Clerk, &c.	advance this cause.

Ex parte: In the matter of Martha M. Dumpkins individually & as Executrix of Byron D. Ball, deceased, and Jos. H. Dumpkins. Petitioners. Mr. Joseph H. Dumpkins submitted to the consideration of the Court a motion for leave to file an amended petition for a writ of mandamus herein and for a rule to show cause why said writ should not issue.

Ex parte: In the matter of Ed. Mills. Petitioner. Mr. Van H. Manning submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.

C. R. Crutcher. Mr. O. W. Chapman,
130 vs Pff. in Error. in behalf of counsel for
The Commonwealth of the plaintiff in error,
Kentucky. submitted to the consideration of the Court

a motion to advance this cause.

John O'Hair The motion to dismiss
111 vs Pff. in Error in this cause was sub-
The State of Vermont. mitted to the consideration of the Court on

the record and printed arguments by Mr. P. Dexter Sendall and Mr. Walter C. Dunton in support of the same, and Mr. C. H. Joyce in opposition thereto.

John G. Brown, Receiver of Mr. W. Hunter
The Texas & Pacific Railway Co. Phillips of coun-
1091 vs. Pff. in Error. sel for the de-
Ida May Cox. fendant in er-

ror, suggested the discharge of John G. Brown as Receiver of The Texas and Pacific Railway Company and also his death, and moved the Court to make The Texas and Pacific Railway Company the

party plaintiff in error herein. Whereupon it is now here ordered by the Court that the said Pitney and Mayer Railway Company be and it is hereby made the party plaintiff in error in this cause.

The United States. } This cause was sub
No 93. vs. Appellant } mitted to the con
Tyler Kaus. } sideration of the
Court pursuant to
the 20th rule on the record and printed
arguments by Mr. Assistant Attorney General
Cotton of counsel for the appellant and Mr.
Charles C. Lancaster of counsel for the appel
lee.

The United States } This cause was sub
No 94. vs. Appellant } mitted to the con
Henry Schofield. } sideration of the
Court, pursuant to
the 20th rule, on the record and printed
arguments by Mr. Assistant Attorney General
Cotton of counsel for the plaintiff, and Mr.
Charles C. Lancaster of counsel for the ap
pellee.

61 John Hawlowitz ... Pff. in Error. vs. George V. Kass. ... In Error to the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therupon in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

62 The Extra Dry Paper Manufacturing Company ... Pff. in Error. vs. The Bradner Smith Paper Company ... In Error to the Circuit Court of the United States for the District of Minnesota.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the tran-

cript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

John W. Moffat
54. vs. Pff. in Error.
Charles E. Miller & Daniel G. Rollins, Executors etc.

Ordered by the Court that the further argument of this cause be postponed for the present.

William H. Robertson, Collector etc.
35. vs. Pff. in Error.
Robert G. Glendinning et al.

This cause was argued by Mr. Solicitor General Chapman, of counsel for the plaintiff in error and Mr. Stephen G. Clarke of counsel for the defendants in error.

William H. Robertson, Collector etc.
56 vs. Pff. in Error.
Otto Lindau.

Ordered by the Court that the

cause be, and the same is hereby passed.

57. William H. Robertson, Collector &c. vs. Jesse Rosenthal et al. Pffs. in Error. This cause was argued by Mr. Solicitor General Chapman of counsel for the pffs. in error, and Mr. Edward Hartley of counsel for the defendants in error.

58. William H. Robertson, Collector &c. vs. Henry R. Bradbury. Pffs. in Error. Ordered by the Court that this cause be, and the same is hereby, passed.

60. Erwin T. Merritt, Collector &c. vs. Charles L. Piffany. Pffs. in Error. This cause was argued by Mr. Solicitor General Chapman, of counsel for the pffs. in error & Mr. Edward Hartley, of counsel for the defendant in error.

The Pendleton Bridge Co. — This cause was
vs. Suit in Error — argued by Mr.
William Magruder et als — S. S. Lowe of
counsel for the
plaintiff in error, and Mr. Burton C. Kline
Junior of Counsel for the defendants in error.

The Chicago Railway Equip- — This argument of
ment Company — the cause was
vs. Suit in Error — commenced by
The Merchants National Bank — Mr. Brandon
of Chicago. — Jr. of counsel
for the plain
tiff in error.

Proclamation being made the Court is adjourn
ed until to morrow at twelve o'clock

Tuesday, November, 5th, 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel F. Phillips it is ordered that F. D. McKenney, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. G. Morris it is ordered

that Patterson Knapp Esqure of San Diego State of California be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

91	J Granville Beals vs The Illinois Missouri & Texas Railroad Company et al	Mr Knapp by leave of counsel for the appellee submitted to the consideration of the Court a motion to pass this case

88	Peter Raimond. vs Plff in Error. The Parish of Terrebonne	Mr. Henry Chiapella in behalf of counsel moved the Court to pass this cause when reached. Whereupon. It is now here ordered by the Court that said motion be. and the same is hereby. denied.

	The United States of America. vs Plaintiff The State of North Carolina	Mr J C Phillips of counsel for the plaintiff by leave of the Court filed the declaration in this cause and sai

mitted to the consideration of the Court a motion for a summons to the defendant.

Samuel Rowland survivor etc.		Appeal from the Circuit Court of the United States for the Southern District
108	vs. Appellant.	
The Manila Milling Company.		

of New York.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Colbert Jeffries		Ordered by the
70	vs. Pff. in Error.	Court that this
Charles L. Bartlett, Executor etc.		cause be, and
		the same is here-

by passed for settlement.

The New Orleans Water Works Company.		In Error to the Supreme Court of the State of Louisiana.
73	vs. Plff. in Error.	
The City of New Orleans.		

This cause having been called for hearing in its regular order, and the authority of counsel for the plaintiff in error to dismiss this cause having been filed, It is Therefore, in pursuance of said authority now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Chicago Railway Equipment Company.		The argument of this cause was continued by Mr. Greene of Park, of counsel for
54	vs. Plff. in Error.	
The Merchants' National Bank of Chicago.		

the plaintiff in error, & Mr. John P. Wilson, of counsel for the defendant in error, and concluded by Mr. Clark of counsel for the plaintiff in error.

66 The Missouri Pacific Railway Company. vs. Peff in Error. The Chicago & Alton Railroad Co

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John F. Dillon, of counsel for the plaintiff in error, and leave was granted Counsel for the defendant in error to file a printed argument within few days.

67 John Penn, Trustee etc. vs. Peff in Error. Thomas J. Sumner.

The argument of this cause was commenced by Mr. John Howard of counsel for the plaintiff in error, continued by Mr. Samuel F. Phillips, of counsel for the defendant in error, and concluded by Mr. Charles Marshall, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday. November. 6th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright Esquire. Marshal
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. C. C. Cole it is ordered that Louis D. Brandeis. Esquire. of Boston. State of Massachusetts. be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly

On motion first made to the Court on this behalf by Mr. Louis D. Brandeis it is ordered

that Jeremiah Smith. Esquire of Dover State of New Hampshire be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

111. S. Granville Beals ... vs. ... The Illinois Missouri & Texas Railroad Co. et al. Appellants. On consideration of the motion to pass this cause, It is ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday in January next after the cause heretofore assigned for that day.

252. Adam Y. Adams. Trustee ... vs. ... Thomas J. Crittenden et al. Jeff. in Error. Mr. O. A. Hickingbotham in behalf of counsel suggested the death of Thomas J. Crittenden one of the defendants in error herein, and moved the Court to make James C. Conner Administrator with the will annexed, and Mattie Crittenden, Thomas E. Crittenden, Bernard Crittenden, Sidgwick Crittenden, Marcus Crittenden and Lucy Crittenden

devisees of the said Thomas J. Crittenden for the defendants in error. Whereupon it is now here ordered by the Court that the said James S. Conner Administrator with the will annexed of Thomas J. Crittenden deceased; and Walter Crittenden, Thomas E. Crittenden, Eliza and Crittenden Hedgeman Crittenden, Marcus Crittenden and Lucy Crittenden devisees under said will of said Thomas J. Crittenden deceased be and they are hereby made parties defendants in error in this cause pursuant to a stipulation of counsel.

Benjamin S. Cole et al. Executors etc. vs. Richard Cunningham & Henry Dolman Jr. Assignees etc. Plffs. in Error.

7.7.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Henry O. Hyde and Mr. W. G. Richardson Jr. of counsel for the plaintiffs in error, and Mr. Eugene W. Johnson of counsel for the defendants in error.

78 The Washington Market Co. vs. The District of Columbia et al. Appellants. On motion of Mr. Wm Birney of counsel for the appellant

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9: 36th. rule.

79 Colbert Jeffries vs. Plff in Error Turner L. Bartlett, Executor of George G. Bartlett, deceased. In Error to the Supreme Court of the State of Georgia.

This cause having been called for hearing in its regular order, and a stipulation to dismiss this cause signed by the plaintiff in error and the defendant in error respectively, having been filed. It is, therefore, in pursuance of said stipulation now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

William Hill
vs. } In Error.
The City of Memphis.

The argument of this cause was commenced by Mr. John N Overall, of counsel for the plaintiff in error, continued by Mr. Henry C. Cummins, of counsel for the defendant in error, and concluded by Mr. G. C. Hughes, of counsel for the plaintiff in error.

James E. Vane
vs. } Appellant.
R. S. Newcombe and J. G. Smith, Receivers etc.

This cause was argued by Mr. A. G. Harris, of counsel for the appellant and submitted on printed arguments by Mr. Robert G. Ingersoll, of counsel for the appellees.

The Central Trust Company of New York et al.
vs. } Appellants.
Mrs. M. H. C. Bacon.

The argument of this cause was commenced by Mr. Edgar M. Johnson of counsel for the appellants.

71 The Central Trust Company of New York & Henry Evst. Receiver vs. Mrs. W. L. B. Bacon. Appellants

Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

72 Ezra A. Gaits et al vs. Peffs. in Error. George W. Palmer.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. C. Rockwith, of counsel for the plaintiffs in error and Mr. Joseph Hippen of counsel for the defendant in error.

C. N. Young et al.		This cause
6	vs. Appellants	was submitted
E. B. Knight, Administrator &c.		to the consid
		eration of the

Court on the record and printed argument by Mr. T. B. Swann, of counsel for the appellants, and Mr. S. A. Miller and Mr. J. C. Brown, of counsel for the appellees.

The Wisconsin Central R. R. Co.		The argu
76	vs. Pff. in Error.	ment of
Price County et al.		this cause
		was com

menced by Mr. Louis D. Brandeis, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Thursday, November 7th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford,
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. B. F. Peters it is ordered that N. C. Callaher, Esquire of Charleston, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Wise Garnett it is ordered-

ed that Allan Mc. Culloh, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Shields it is ordered that Henry W. Bond, Esquire, of St. Louis State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

82 John G. Blair et al. vs. James L. Wacker et al. Appellants Appeal from the Circuit Court of the United States for the Eastern District of Missouri

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Herman Royer.
83 vs. Appellant.
Solomon Rolle et al.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. W. O'Brien, of counsel for the appellant and Mr. Warner Sykes of counsel for the appellees.

La Confiance Compagnie
Assurance D'Assurance
Contre L'Incendie.
84 vs. Pff. in Error.
John C. Hall.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Henry C. Dahl.
85. vs. Pff. in Error.
Saly Rauchheim
And
Henry C. Dahl.
86 vs. Pff. in Error.
The Montana Copper Co.

These cases were submitted to the consideration of the Court on the records and a printed argument by Mr. W. H. De Witt of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

76 The Wisconsin Cent. R.R. Co. vs. Peff. in Error. Price County et al.

The argument of this cause was continued by Mr. Louis D. Brandeis, and concluded by Mr. Jeremiah Smith, of counsel for the plaintiff in error: and leave was granted counsel for the defendants in error to file a printed argument herein.

77 John B. Anthony vs. Peff. in Error The Louisville & Nashville Railroad Company.

This cause was argued by Mr. Henry W. Bond of counsel for the defendant in error, and submitted on a printed argument by Mr. A. P. Dyer, of counsel for the plaintiff in error.

81 The County of Upshur & Va. vs. Appellant. Benjamin Rich et al

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Alfred Caldwell, of counsel for the appellant.

No counsel appeared for the appellees.

William H. Peters Receiver etc. vs. Robert D. K. Bain et al. 87. Appellant.

Mr. D. I. Barnett of counsel for the appellant suggested the death of James G. Bain, one of the appellees in this cause, and submitted to the consideration of the Court a motion for an order of publication, pursuant to section 1 of Rule 15.

William H. Peters, Receiver etc. vs. Robert D. K. Bain et al. 87. Appellant.

And

John D. Griffin et al. Trustees etc. vs. William H. Peters, Receiver etc. 198. Appellants

The argument of these cases was commenced by Mr. D. I. Barnett, of counsel for Peters, Receiver etc. and continued by Mr. Richard Wache of counsel for Griffin et al. Trustees etc.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, November, 8th, 1889

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford,
Lucius L. C. Lamar

John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. K. Wilcox it is ordered that Richard Bacon, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger it is or-

dered that Benjamin Wilson, Esquire, of Parkersburg State of West Virginia be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

72 Bertrand Talcy
vs. Plff. in Error.
Simon Block.

Ordered by the Court that this cause be, and the same is hereby, passed.

74 The United States
vs. Appellant.
John G. Agar, Administrator of John A. Walsh, deceased.

Appeal from the Court of Claims.

This cause having been called for hearing as its regular order, and a stipulation to dismiss this cause having been filed. It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

William H. Peters, Receiver etc.
87 vs. Appellant.
Robert G. K. Bauw et al.
And
John G. Griffin et al, Trustees etc.
98 vs. Appellants
William H. Peters, Receiver etc.

The argument of these cases was continued by Mr. Clark and Wash. and Mr. J. Alfred Jones of counsel for Griffin et al, Trustees and concluded by Mr. W. J. Robertson, of counsel for Peters, Receiver etc.

The City of Cleveland.
89 vs. Pepp. in Error.
Henry King.

This cause was argued by Mr. Allan G. Brunsmade of counsel for the plaintiff in error, and Mr. E. K. Wilcox, of counsel for the defendant in error

Frederick Muller and Adolph Jacobs, Assignees etc.
91. vs. Pepp. in Error.
Anthony B. Morton et al.

The argument of this cause was commenced by Mr. W. Hallett Phillips, of counsel for plaintiffs in error

Proclamation being made the Court is adjourn

Monday November 11th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. F. Phillips it is ordered that Gordon Blanding, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that

Laurence Lewis, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Spooner it is ordered that J. W. Lind Esquire of Topeka, State of Kansas, and Willis Grant & Richard Barry Esquires of Phillips, State of Wisconsin, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger it is ordered that John Hutchings, Esquire of Lawrence, State of Kansas be admitted to practice as an attorney & counsellor of this Court, & he was sworn accordingly.

The Pennsylvania Railroad Company. — In Error to the Court of Common
36. — vs — Pleas No. 3 for
P. H. Muller Administrator of — the County of
George R. Duncan deceased. — Philadelphia.

Monday, November, 11th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. F. Purselow it is ordered that Gordon Blanding, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that

Laurence Lewis, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Spooner it is ordered that J. W. Flood Esquire of Topeka, State of Kansas, and Willis Brandt & Michael Barry Esquires of Phillips State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Samuel Shellabarger it is ordered that John Hutchings Esquire of Lawrence, State of Kansas be admitted to practice as an attorney & counsellor of this Court, & he was sworn accordingly

The Pennsylvania Railroad Company.		In Error to the Court of Common
No.	vs. Pff in Error.	Pleas No. 2 for
P. K. Miller Administrator of George R. Duncan deceased.		the County of Philadelphia,

State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Court of Common Pleas No 2 for the County of Philadelphia, State of Pennsylvania, upon a mandate from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Common Pleas No 2. in this cause be, and the same is hereby, affirmed with costs, and interest, unless paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Blatchford.

Joseph Aron
vs. Appellant.
The Manhattan Railway Company.

Appeal from the Circuit Court of the United States for the Southern District of New York.

143

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District

of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

The Keystone Manganese & Iron Company vs. Appellant Matt. Martin. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

51

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Blatchford.

William Bowne.		Appeal from the Circuit
44	vs Appellant.	Court of the United States
David Heineman and		for the Southern District
Gustav Berthaine.		of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be and the same is hereby affirmed with costs.

per Mr. Justice Gray.

Patrick D. Boylan.		In Error to the Cir-
1140	vs Pff in Error.	cuit Court of the Un-
The Hot Springs Railroad		ited States for the North-
Company.		ern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered

and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Gray.

Charles E. Cross & Samuel E. White. ..... Pffs in Error

vs

The State of North Carolina.

In Error to the Supreme Court of the State of North Carolina.

084

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

The First National Bank of Charlotte, North Carolina. ..... Pff in Error

vs

E. D. Morgan. ..... Deft in Error

In Error to the Supreme Court of the State of North Carolina.

30

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

David K. Stix
v.
Mary J. Sumner.

In Error to the Circuit Court of the United States for the District of Colorado.

765

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Colorado.

per Mr. Justice Miller

John O'Neil,
vs. Pff. in Error.
The State of Vermont.

It is now here ordered by the Court that the motion to dismiss in this cause be, and the same is hereby, postponed for hearing with the case on its merits.

per Mr. Chief Justice Fuller.

O. A. Bruskin.
1208 vs. Pff. in Error.
The Commonwealth of Kentucky.

On consideration of the motion to advance this cause, it is now here ordered by the Court, that said motion be, and the same is hereby granted, and the cause assigned for argument before a full bench.

per Mr. Chief Justice Fuller.

J. C. Clough, President etc.
1138 vs. Appellant.
E. J. Curtis, Secretary etc.
Ad

H. J. Burkhart Speaker, &c.
1311 vs. Appellant.
E. H. Reed, City Clerk, &c.

On consideration of the motions to advance these cases, it is now here ordered by the

Court that said motion be, and the same are hereby granted, and the cause assigned for argument before a full bench.

It is further ordered by the Court that notice of said motions and this order be given to the appellees.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Ed. Mills. Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Ed. Mills. Petitioner } On petition for a writ of habeas corpus.

On consideration of the petition of Ed. Mills, and on motion of Mr. Wm. H. Manning, of counsel for petitioner.

It is now here ordered by the Court that cause be shown by the Warden of the Pen-

tentiary at Columbus, Ohio, before this Court, on Monday, the second day of December A.D. 1889, at twelve o'clock noon or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not issue herein to the end that the petitioner may be discharged from custody, or that he may have such other or further relief as shall seem just.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Martha M. Goupseus, individually and as Executrix of Byron D. Ball, deceased. and Joseph H. Goupseus.

On consideration of the motion for leave to file an amended copy petition for a writ of mandamus herein. It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

Augustus Day		Appeal from the Cir-
35.	v. Appellant.	cuit Court of the Un-
The Grand Haven & Milwaukee		ited States for the
Railway Company.		District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

Leslie W. Smith		In Error to the Circuit
107	vs. Pff. in Error.	Court of the United
Richard L. Sutton.		States for the Northern
		District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered

and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial

per Mr. Chief Justice Fuller.

William Jackson, Master &c.
144 vs. } In Error.
Allen, West & Busk et al.

&

Brown, Brothers & Company.
145 vs. } In Error.
Allen, West & Busk et al.

On motion of Mr. Alfred Goldthwaite of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandates in these cases.

Isaac Klein et al.
12 vs. } In Error.
Solomon Hoffheimer et al.

On motion of Mr. A. A. McKnight, leave is hereby granted him to withdraw his appearance and that of Mr. John Johns as counsel for the plaintiffs in error in this cause.

Stephenson Walters, Admr. of William Gay, deceased. vs. John A. Buckner et al. & John A. Buckner et al vs. Stephenson Walters Admr. of William Gay, deceased.

135 269

Mr. Thomas S. Simmons of counsel, suggested the death of Julia H. Morgan, wife of George S. Morgan one of the parties in these cases and moved the Court to make George S. Morgan as sole surviving heir legatee and administrator cum testamento annexo of the said Julia H. Morgan, a party appellee in case No. 135 and a party appellant in case No. 269. Whereupon, It is now here ordered by the Court that the said George S. Morgan as sole surviving heir legatee and Administrator cum testamento annexo of Julia H. Morgan deceased be, and he is hereby made a party appellee in case No. 135 & a party appellant in No. 269.

Stephenson Walters, Admr. of William Gay deceased vs. John A. Buckner et al & &

135

Mr. E. L. Logan of counsel suggested the death of Stephenson Walters and

John A. Buckner et al
269 vs. Appellants.
Stephenson Waters Admr of
William Gay, deceased,

the appointment
of Delos C. Mellen
as Administrator
of William Gay,
deceased, and mov-

ed the Court to make the said Mellen, as such Administrator, a party to these cases, per stipulation of counsel. Whereupon, It is now here ordered by the Court that the said Delos C. Mellen, as Administrator of William Gay, deceased, be, and he is hereby, made the party appellant in case No. 135 and the party appellee in case No. 269, pursuant to stipulation of counsel.

David Goslin & Elise Goslin
113 vs. Plffs. in Error.
C. G. A. Hinrichs

In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause having been called to the attention of the Court by Mr. W. Hallett Phillips, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause. It is therefore, in pursuance of said

motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Oregon Improvement Co. vs. Peff. in Error. / The Excelsior Coal Co. — This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Sidney V. Smith, of counsel for the plaintiff in error, and Mr. J. C. Sawyer, of counsel for the defendant in error.

1504 The City of Chicago vs. Peff. in Error. / Wilbur C. Chandler — The motion for a writ of supersedeas in this cause was argued by Mr. J. W. Ilsley and Mr. A. L. Stafford, in support of the same, and Mr. John Hutchins, in opposition thereto. Mr. Hutchins also submitted to the consideration of the Court a motion to dismiss or affirm herein.

	E. H. Cuthbert	On motion of Mr.
15	vs. Sff in Error	Lyon Robinson in be
	The State of Oregon	half of counsel it
	Thomas L. Tucker	is ordered by the
214	vs. Sff in Error	Court that these
	John H. Carthey	causes be each day
	&	are hereby severed
	Ex parte: In the matter	and assigned for re
	of Lewis Brown	-mand with causes
2	Petitioner	No 15 1889, 1903, Nov:
		1888, 1117 and 118 be
		first on docket.
	The Wisconsin Central	Mr. Curtis Mount
	Railroad Company	of counsel for the
76	vs. Sff in Error	appellants in en
	Pierce County et al	-tle submitted to
		the consideration
	of the Court on motion for leave to argue the	
	cause orally.	
	The Hot Springs Railroad Co.	This cause was
98	vs. Sff in Error	submitted to the
	Thomas L. Williamson	consideration of
		the Court on

the record and printed arguments by Mr. J. M. Moore, of counsel for the plaintiff in error, and Mr. A. H. Garland, of counsel for the defendant in error.

The United States.
95 vs. Appellant.
Charles C. Waters.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Benjamin Wilson, of counsel for the appellant, and Mr. C. B. Lancaster, of counsel for the appellee.

The City of New Orleans.
753 vs. Plff. in Error
The Louisiana Construction Company (Limited) et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Carleton Hunt and Mr. Henry C. Miller, of counsel for the plaintiff in error, and Mr. E. Howard McCaleb, of counsel for the defendants in error.

Frederick Muller &c. Adolph Jacobs, Assignees etc. vs. Plffs. in Error. Luthcomy B. Morlow et al.

The argument of this cause was continued by Mr. D. A. Mc. Knight of counsel for the defendants in error, and concluded by Mr. W. Hallett Phillips, of counsel for the plaintiffs in error.

The Illinois Central Railroad Company et al. vs. Plffs. in Error. Willard Bosworth et al.

The argument of this cause was continued by Mr. Durant Farrar of counsel for the plaintiffs in error, and continued by Mr. S. H. Farrar, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday. November 12th. 1872.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller. Chief Justice

Samuel F. Miller.

Stephen J. Field

Joseph P. Bradley. Associate

John M. Harlan. Justices

Horace Gray

Samuel Blatchford

Lucius L. C. Lamar.

John M. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Epps Hunton it is ordered that Joseph W. Robinson, Esquire of Olympia State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

3 — The Rio Grande Railroad Co. vs. Plff in Error — E.L. Wilf, Jr. Admr. De Bonis Testamentary Executor of D. J. Young deceased — vs. — The Rio Grande Railroad Co. — Appellants — E.L. Wilf, Jr. Admr. De Bonis Testamentary Executor of D. J. Young dec'd et al

The 2nd Motion of counsel requested the leave of Court for Wilf, Jr. Admr. De Bonis Testamentary of John B Hunt, as successor as Admr. De Bonis Testamentary Executor of D. J. Young, deceased, and moved the Court to make the said Hunt, such Executor a party in these cases thereupon, It is now here ordered by the Court that John B Hunt, Admr. Testamentary Executor of D. J. Young deceased, be and he is hereby, made the party defendant in error in case No. 113; and a party appellee in case No. 111.

79 — The Illinois Central Railroad Company et al. vs. Plffs in Error — Willard Bosworth et al.

The argument of this cause was continued by Mr. E. H. Farrar of counsel for the

defendants in error, and concluded by Mr. Edward J. Lemmon of counsel for the plaintiffs in error.

Peter Raimond
vs. Pff in Error.
The Parish of Terrebonne.

On motion of Mr. B. H. Garrar leave is hereby granted him to withdraw his appearance and that of Mr. S. B. Kruttschnitt as counsel for the defendant in error in this cause.

Peter Raimond.
vs. Pff in Error.
The Parish of Terrebonne.

This cause was argued by Mr. Alfred Goldthwaite, of counsel for the plaintiff in error, and Mr. J. R. Rouse, of counsel for the defendant in error.

John A. Waters et al.
vs. Appellants.
George P. Settle et al.

This cause was argued by Mr. Samuel Shellabarger, of counsel for the appellees, and submitted on a printed argument by Mr. W. Kirkpatrick, of counsel

Tuesday. November. 12th. 1889. Continued

for the appellants.

William Pickhardt et al. vs. Plffs. in Error.
E.O. Merritt late Collector &c.

The argument of this cause was commenced by Mr. Benjamin F. Thurston, of counsel for the plaintiffs in error.

Proclamation being made the Court is duly opened until to-morrow at twelve o'clock.

Wednesday November 13th. 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

1112. The United States. vs. John L. Worby. Appellant.

And

1120. John L. Worby. vs. The United States. Appellant.

Mr. Assistant Attorney General Maury submitted to the consideration of the Court a motion to advance these cases.

The State of Louisiana ex rel. The New York Guaranty and Indemnity Company
vs. Pff. in Error
Oliver B. Stith, Auditor, &c.

Mr. W. A. Gunn of counsel for the defendant in error submitted to the consideration of the Court a motion to pass this cause for argument before a full bench.

110

Samuel Hill et al.
vs. Appellants
David B. Wooster.

Mr. F. B. Hurlbut, of counsel for the appellee, moved the Court to fix a day for the argument of this cause. Whereupon, It is ordered by the Court that the cause be placed at the foot of the call on a day to be designated by said counsel.

101

The Continental Life Insurance Company of Hartford, Connecticut.
vs. Pff. in Error.
W. J. Chamberlin, Admr. etc.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. L. Carney, of counsel for

100

the plaintiff in error, and Mr. R. H. Rose, of counsel for the defendant in error.

Frank Hume
vs. Appellant.
The United States.

102

And

The United States.
vs. Appellant.
Frank Hume.

103

Due care was submitted to the consideration of the Court on the record & brief & arguments by Mr. John B. Gray and Mr. Robert Christy, of counsel for Hume, and Mr. Assistant Attorney General Maury, of counsel for The United States.

William C. Richards, Trustee &c.
vs. Appellant.
George Hays.

104

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, thereupon, in pursuance of the 10th rule of this Court, now here

ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Taney.

The State of Oregon and Sacramento Improvement Company. vs. Pltff in Error & Appl't W. G. Bradbury et als

No. 9. for the reason of counsel for the defendants in error, the appellees submitted to the consideration of the Court a motion to dismiss this cause.

Wilhelm Pickhardt et al. vs. Pltffs. in Error. S. A. Merritt, late Collector etc.

No. 7. The argument of this cause was continued by Mr. Benjamin F. Thurston, of counsel for the plaintiffs in error, and Mr. Solicitor General Chapman of counsel for the defendant in error, and concluded by Mr. Thurston, for the plaintiffs in error.

James Dougherty
18 vs Pff. in Error
The City & County of San Francisco.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Albert Pike, Mr. John B. Gibson and Mr. Arthur H. Pike of counsel for the plaintiff in error.

L. N. Brown et al.
77 vs Appellants.
William Rank

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Leander Holmes, of counsel for the appellants, and Mr. J. H. Carland and Mr. W. W. Upton, of counsel for the appellee.

The Idaho & Oregon Land Improvement Company.
105 vs Pff. in Error & Appt.
W. B. Bradbury et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. W. Holcomb and Mr. J. H. McGowan, of counsel for the plaintiff in error and appellant, and leave was granted

counsel for the defendants in error and appellees to file a printed argument herein with leave to counsel for the plaintiff in error and appellant to file a reply thereto.

The New York Elevated Railroad Company
106 vs. Deft. in Error.
The Fifth National Bank of the City of New York

This cause was argued by Mr. Edward S. Dodge of counsel for the plaintiff in error, and Mr. William G. Fargo of counsel for the defendant in error.

G.A. Paul.
107 vs. Appellant
Henry B. Cullum.

The argument of this cause was commenced by Mr. W. Herman Biddle of counsel for the appellant

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday November 11th 1869.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice
Samuel F. Miller.
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Nelson.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry Wise Garnett it is ordered that Willard Hodges Bowers of Chicago State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. A. Brown it is ordered that

John B. Bates and J. Hawes Augustus Caesar of New Orleans, State of Louisiana be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

The State of Louisiana ex rel: The Crescent
The New York Guaranty and Indemnity Company. vs. Jeff. in Error. Olivier B. Steele, Curator etc. } No. 40

This cause coming on to be heard on motion of Mr. Slidell of counsel for the defendant in error, and on motion of Mr. Benjamin of counsel for the plaintiff in error, it is ordered by the Court that the motion to dismiss this cause for want of jurisdiction be argued by counsel on both sides at the next term of this Court.

The Wisconsin Central Railroad Company. vs. Pltf in Error. Dane County et al. } No. 76

On consideration of the motion of Mr. Hall for the defendant in error to dismiss the writ of error in this cause, and on motion of Mr. Carlisle of counsel for the plaintiff in error to be heard in opposition to said motion, it is ordered by the Court that said motion be, and the same is hereby denied, but leave is granted said counsel to file a supplemental brief herein within one week, and

counsel for the plaintiff in error to file a reply thereto within one week from receipt of same if they desire to do so.

per Mr. Chief Justice Fuller.

John Thorntow. ... Appeal from the Circuit
69 ... vs. ... Appellant. Court of the United States
George H. Wooster. for the Southern District
of New York.

This cause having been called for hearing in its regular order, and a stipulation to dismiss this cause having been filed. It is therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that the appeal in this cause is hereby dismissed.

per Mr. Chief Justice Fuller.

C. K. Cook
137 vs. Appellant.
Henry B. Cullum.

The argument of this cause was continued by Mr. W. Baker Phillips, of counsel for the appellant, and Mr. Lucien Birdseye, of counsel for the appellee, and concluded by Mr. Phillips for the appellant.

	Mrs Nancy A Bradley, wife of J. H. Bolton, et al	This cause coming on to be heard by the U.S. Circuit Court of Appeals and for the Eighth Circuit and the Court
110	vs. Appellants	having heard counsel for the appellees.
	Horace B. Clapp et al	

	Sam Kleis et al	The argument of this cause was commenced by
112	vs. Pltfs in Error	Mr. W. G. Hamm
	Louis Hoffmann et al	of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. Hallen Phillips it is ordered that Samuel Wells Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Porter Morse it is

Ordered that James David Coleman Esqr. of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. P. Morris it is ordered that William L. McLaughlin, Esquire, of Deadwood, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Hoadly it is ordered that Walter L. McCorkle Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

112 Sam. Klein et al. vs Plffs. in Error. Solomon Hoffheimer et al.

The argument of this cause was continued by Mr. George Hoadly of counsel for the defendants in error and by Mr. W. P. Morris of counsel for the plaintiffs in error

113 The Rio Grande Railroad Co. vs. Pff. in Error
John B. Uriel, dative testamentary Executor etc.

The cause was argued by Mr. George L. Bright of counsel for the plaintiff in error and Mr. Geo A. Breaux, of counsel for the defendant in error.

114 The Rio Grande Railroad Co vs. Appellant
John B. Uriel, dative testamentary Executor etc. et al.

The cause was argued by Mr. George L. Bright of counsel for the appellant and Mr. A. D. Rouse of counsel for the appellees.

115. The Western Union Telegraph Co. vs. Pff. in Error.
E. A. O'Neal: Governor etc. et al.

The cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Rufus E. Clark and Mr. A. D. Rouse of counsel for the plaintiff in error, and Mr. John D. Morgan, of counsel for the defendants in error.

Friday November 15th 1889 Continued

The Western Union Telegraph Co
vs.
E. O. C. Ord, Governor, C. C. Langdon Secy of State, W. C. Bartlett, Auditor, & Fred. A. Lamb, Treasurer composing the State Board of Assessment.

A stipulation of counsel for the respective parties in this cause, waiving the operation of the writs of office of each of the defendants in error, and agreeing that the persons, Thomas Seay, Governor, J. O. Barron Secretary of State, Cyrus D. Hague, Auditor and John L. Cobb, Treasurer composing the State Board of Assessment be made the parties defendants in error in this cause having been filed: It is therefore, in pursuance of said stipulation now here ordered by the Court that the said Thomas Seay, Governor, J. O. Barron, Secretary of State, Cyrus D. Hague, Auditor and John L. Cobb, Treasurer, composing the State Board of Assessments be, and they are hereby made the parties defendants in error in this cause.

Wolf Bachrach
116 vs. Pfff. in Error.
Anthony B. Norton et al.

Case submitted by Mr. D. A. McKnight, of counsel for the defendants in error, and submitted on a printed argument by Mr. Lawrie Robertson, of counsel for the plaintiff in error

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, November 18th 1889

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in the behalf by Mr. J. C. Spooner it is ordered that Peter Mc. Purdy, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in the behalf by Mr. James T. Hinton it is ordered

that Joseph D. Hubbard, Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John Mann, Trustee of the National Express and Transportation Company. vs. Pff. in Error. Thomas J. Summers.

In Error to the Circuit Court of the United States for the Western District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs per Mr. Justice Gray.

Edwin A. Merritt, Collector of the Port of New York. vs. Pff. in Error. Charles L. Tiffany.

In Error to the Circuit Court of the United States for the Southern District of New York.

Monday, November 12th 1883. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per The Justice Field.

John C. Anthony
vs.
Cliff ton Evans.
Louisville & Nashville
Railroad Company

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered

and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Jared E. Redfield. Pltff. in Error. vs. William P. Parks, Charles Harper, Abner B. Williams et al. Defts. in Error. In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the plaintiff.

per Mr. Justice Miller.

112 The United States, Appellant, vs John S. Hooby.
vs John S. Hooby, Appellant, vs The United States.

On consideration of the motion to consolidate these cases, It is now here ordered by the Court that such motion be, and the same is hereby, granted, and the cases assigned for argument on the second Monday in January next, after the cases heretofore assigned for that day.

for the Chief Justice Waite

James Dingwell
vs.
The City and County of San Francisco.

In Error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

and that this cause be, and the same is hereby, remanded to the said Circuit Court of the United States for the Northern District of Indiana.

per Mr. Chief Justice Fuller.

118. Chauncey S. Watson. vs. The Cincinnati Indianapolis, St. Louis & Chicago Railway Company. Appellants. Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, & the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

William H. Robertson, Collector
of the Port of New York.
vs. Plff. in Error.
Robert G. Rowland, Marge
McLeish & James A. Beebe.

In Error to the Circuit Court of the United States for the Southern Dist of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr. Chief Justice Waite.

1086

The Yazoo & Mississippi Valley
Railroad Company.
vs. Plff. in Error.
Samuel B. Thomas, Sheriff & Tax
Collector of Hinds County, G. R.
Kemp, Sheriff & Tax Collector of

In Error to the Supreme Court of the State of Mississippi.

Madison County. D. C. Love, Sheriff and Tax Collector of Yazoo County. T. J. Wyatt, Sheriff and Tax Collector of Holmes County, L. D. Bartlett, Sheriff and Tax Collector of Leflore County, and G. B. Jones, Sheriff and Tax Collector of Grenada County.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The Yazoo & Mississippi Valley Railroad Company.

1087 vs. Appellant.

The Board of Levee Commissioners of the Yazoo Mississippi Delta, D. C. Love, Sheriff & Tax Collector of Yazoo County et al.

Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

Monday, November 12th, 1888. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

Herman B. Chapman
vs. } Appeal from the
Robert A. Barney, President of } Circuit Court of the
the U. S. Express Company. } U. S. for the Southern
District of Mississippi.

Mr. W. W. Wac. Garland for appellee moved the Court for leave to file a motion to dismiss the appeal herein, or to affirm the decree appealed from, with costs, and to enter the order of affirmance as of this day. Leave granted.

Cornell University et al.
vs. } Appeal from the
Willard Fiske et al. } Circuit Court of the
U. S. for the Northern
District of New York.

The motions to dismiss or affirm in this cause were sub-

mitted to the consideration of the Court on the record and printed arguments by Mr Bart Lowrie and Mr George E. Doughten in support of the same, and Mr Edwin Countryman, Mr L. A. Halliday and Mr George E. Edmunds in opposition thereto.

Henry H. Stone
v. Appellant
Sara L. Loud, Executrix of
Samuel C. Loud, deceased.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

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This cause having been called by the direction of the Court by Mr. William A. McKenney, of counsel for appellant, and he having moved the Court to dismiss this cause, it is, therefore, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Chase.

Henry H. Stone
v. Appellant
Sara L. Loud Executrix &c.

On motion of Mr. W. A. McKenney, of counsel for the

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appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

123. Robert Clay Thorp etc. et al vs. Lewis C. Nelson et al. Appellants. Appeal from the Circuit Court of the United States for the District of Colorado.

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

124. John Doulan et al vs. Ann Doull. Appellants. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John A. Marshall, of counsel for the appellants & by Mr. Benj. Hicks and Mr. F. L. Hawkins, of counsel for the

	The Mutual Benefit Life Insurance Co. of New Jersey.	The argument of this cause was commenced by Mr. D.C. Winslow of counsel for the plaintiff in error.
117.	vs. Pff. in Error.	
	Katherine Salentine.	

	The Mutual Benefit Life Insurance Company of New Jersey.	In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.
117	vs. Pff. in Error.	
	Katherine Salentine.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed, with costs in this Court to be paid by the plaintiff in error; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand the cause to the State Court.

per Mr. Chief Justice Fuller.

The Chicago and Iowa Railroad Company vs. Plff. in Error Henry K. Waterman	The argument of this cause was continued by Mr. D. G. Eastman of counsel for the plaintiff in error.
The Chicago & Iowa Railroad Company vs. Plff. in Error. Henry K. Waterman.	In Error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the plaintiff in error: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand the cause to the State Court.

per Mr. Chief Justice Fuller

	G. H. Ayers et al	This cause was argued
119	vs. Pff in Error	by Mr. William B. Smith
	A. E. Watson.	of counsel for the plaintiffs in error, and Mr.
		W. Hallett Phillips, of counsel for the defendant in error.

120	William Brown,	Appellant	vs. Thomas D. Bell et al
121	"	"	" Albert A. Hartley.
132	"	"	" Clarke Tupper.
133	"	"	" Richard C. Jenkinson

The argument of these cases was commenced by Mr. D. H. Brown, of counsel for the appellant, and continued by Mr. G. H. Bills, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at ten o'clock.

Tuesday. November, 19th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller Chief Justice

Stephen J. Field

Joseph P. Bradley

John M. Harlan. Associate

Horace Gray. Justices

Samuel Blatchford

Lucius L. C. Lamar.

John W. Wright, Esquire, Marshal

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Charles A. Hawley, Esquire, of Seneca Falls, State of New York, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James R. Doolittle it is ordered that Frederick A. Tetlow, Charles R. Mc

Cox and Curtis E. Pope, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis C. Broadhead it is ordered that Jay L. Perry, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

The Steam Gauge and Lantern Company.		Appeal from the Circuit Court of the
672.	vs.	Appellant. United States for
The St. Louis Railway Supply Manufacturing Company.		the Eastern District of Missouri.

This cause having been called to the attention of the Court by Mr. E. H. Swarts, on behalf of counsel, and a stipulation to dismiss this cause having been filed. It is, therefore, on pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be & the same is hereby, dismissed.

per Mr. Chief Justice Waite.

The County Court of Lincoln County & the Justices thereof
615 vs. Plffs. in Error.
The United States ex rel: Alfred Stricklepeer.

Wm. H. McCahan on behalf of counsel submitted to the consideration of the Court a motion

to advance this cause

The Pratt Manufacturing Company.
27 vs. Appellant
James B. Berry et al.

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

Michael Schutz.		Appeal from the Circuit Court
127	vs. Appellant	of the United States for the
U.S. Ostrander.		Eastern District of Pennsylvania

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed, with costs.

per Mr. Chief Justice Fuller.

The Mayor &c Aldermen		Appeal from the Cir-
of the City of Knoxville		cuit Court of the Un-
130.	vs. Appellants	ited States for the
The Knoxville & Ohio Rail-		Eastern District of
road Company et al.		Tennessee.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is, thereupon in pursuance of the 13th rule of this Court now here

ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Gilbert.

20. William Roemer, Appellant vs. Thomas B. Addison et al
21. " " " " " Alfred D. Hinckley
22. " " " " " Charles Kilpin
123 " " " " " Richard C. Jenkinson

The argument of these cases was continued by Mr. F. H. Betts, of counsel for the appellees, and concluded by Mr. A. V. Briesen, of counsel for the appellant.

Samuel Hill et al. vs. Daniel B. Wooster. Appellants

The argument of this cause was commenced by Mr. W. B. Simonds, of counsel for the appellants, and continued by Mr. Stephen B. Shurtleff, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Wednesday, November, 20th, 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius L. C. Lamar

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. W. B. Barle it is ordered that John J. Hemphill, Esquire, of Chester, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn as accordingly.

Samuel Hill et al. vs. David B. Wooster. Appellants

Certain exhibits were sent to the Clerk's office in this case not

having been printed in the record, though conceded to have been given in evidence and used by the Court below and the argument having proceeded without the attention of the Court being called to the omission the Court of its own motion hereby order that said exhibits, a list of which is hereto annexed be forthwith printed at the joint expense of the parties. Said exhibits being.

1. Wooster's application of Nov 17. 1877.
2. Hall & Trentiss' patent. Nov. 20. 1838.
3. Wooster's patent of June. 14. 1881.
4. Hall & Trentiss' application of March 31 1880
5. Hall & Trentiss' application for reissue. Nov. 10. 1880
6. Patent Office papers showing decision of Patent Office to grant patent to Hall and Trentiss and to refuse patent to Wooster Nov. 26. 1882.

And such others as the parties may agree to be important.

	Rowland Hazard, Commissioner.	Appeal from the Circuit Court
204	vs. Appellant.	of the United
	Frederick L. Ames, Sarah L.	States for the
	Ames & Tyrus Lothrop, Executors	District of
	& Legatees of Oliver Ames, deceased,	Massachusetts.
	and John R. Duff & William G. Duff,	
	Executors of John Duff, deceased.	

This cause having been called to the attention of the Court by Mr. J. M. Wilson, in behalf of counsel, and a stipulation to dismiss the cause having been filed, it is, therefore, in pursuance of said stipulation now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed

per Mr. Chief Justice Waite.

	Rowland Hazard as Administrator of Mary	Appeal
	C. Hazard, deceased & as Commissioner &c.	from the
205	vs. Appellants.	Circuit Court
	Frederick L. Ames, & Oakes Ames, John R.	of the Un-
	Duff & William Duff, Executors of John Duff,	ited States
	deceased & Sarah L. Ames & Tyrus Lothrop	for the Dis-
	Executors & Legatees of Oliver Ames deceased.	trict of Mass-
		achusetts

This cause having been called to the attention of the Court by Mr. J. M. Wilson, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, & the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

96. John B. Winters et al. vs. George P. Little et al. Appellants

Mr. J. M. Wilson, of counsel for the appellees suggested the death of George P. Little, one of the appellees herein, and moved the Court to make David B. Ethell, Executor of the said George P. Little, a party appellee in this cause. Whereupon, It is now here ordered by the Court that the said David B. Ethell, Executor of George P. Little, deceased, be, and he is hereby, made a party appellee herein.

L. W. Young et al. vs. Appellants E. B. Knight Administrator of Milton Parker, deceased. 75.

The resignation of E. B. Knight as Administrator of Milton Parker having been heretofore suggested and an order of publication pursuant to the 15th rule of this Court having been granted and issued herein, and a waiver of the publication of the said order having been filed, now on motion of Mr. C. D. Cole, in behalf of counsel, It is ordered by the Court that L. H. Ewart, Administrator de bonis non of Milton Parker, deceased, be, and he is hereby, made the party appellee in this cause.

Samuel Hill et al. vs. Appellants Daniel B. Wooster. 10.

The argument of this cause was continued by Mr. Stephen T. Hurlbut of counsel for the appellee and concluded by Mr. W. C. Edwards, of counsel for the appellant.

The Singer Manufacturing Co. vs. Pff in Error Katie Palm. 122.

This cause was submitted to the

consideration of the Court on the record and printed arguments by Mr. Emerson Tenny, of counsel for the plaintiff in error and Mr. W. P. Clough of counsel for the defendant in error.

James O. Eberhardt et al vs. Pffs. in Error George L. Richardson et al — 125 — Ordered by the Court that this cause be and the same is hereby passed until to-morrow.

Gustavus C. Hopkins et al. vs. Pffs. in Error. John J. Mc. Lure, Admr. et al. — 126 — This cause was argued by Mr. William A Barke of counsel for the plaintiffs in error, and Mr. John J. Hemphill, of counsel for the defendants in error. Leave was granted counsel for the defendants in error to file an additional printed brief.

M. B. Grow et al. Appellants vs. Appellants James Taylor et al. — 28 — The argument of this cause was commen

ed by Mr. George L. Paddock of counsel for the Appellants and continued by Mr. Charles B. McBoy and Mr. Charles E. Pope of counsel for the Appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, November 25th, 1889.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford,
Lucius L. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. R. Smith it is ordered that W. C. Oliver, Esquire, of Houston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles B. Mc. Coy, it is ordered

that J. B. Johnson Esquire of Topeka State of Kansas be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

U. S. Knox et al. Plaintiffs. The argument of
128 vs. Appellants. this cause was con-
James Taylor et al. tinued by Mr Charles S. Pope, of counsel for the appellees. and concluded by Mr. John Lowell, of counsel for the appellants.

James D. Cleveland et al. This cause was
20 vs. Pfts. in Error. argued by Mr.
George L. Richardson et al. James L. Harlan of counsel for the plaintiffs in error and Mr. James R. Doolittle of counsel for the defendants in error.

(Mr. Chief Justice Fuller did not sit on the argument of this cause)

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday November 22nd 1889.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley Associate
John M. Harlan Justices
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. S. Burdett it is ordered that James W. Forbis, Esquire, of Butte City, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury

It is ordered that Abram S. Hoe, Esqure, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

137 Mary E. Pickett vs. Pff. in Error
D. L. Ferguson et al. ——— Def. in Error

In Error to the Supreme Court of the State of Arkansas.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th. rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

125 James C. Cleaveland et al. vs. Pffs. in Error.
George L. Richardson et al.

Mr. James R. Doolittle of counsel for the defendants in error suggested the death of George L. Richardson, one of the defendants in error herein, and

moved the Court that the cause proceed in the name of Charles L. Smith, George E. Smith, Ralph L. Potter and Harrison Parker as the surviving defendants in error. Whereupon it is now here ordered by the Court that said motion be, and the same is hereby, granted.

131 Calvin R. Corbin et al. vs. Appellants. Walter J. Gould et al. This cause was argued by Mr. L. L. Coburn, of counsel for the appellants, and Mr. Don M. Dickinson, of counsel for the appellees.

54 John M. Moffit vs. Pff. in Error. Charles E. Miller & Daniel G. Rollins, Executors &c. The argument of this cause was continued by Mr. Assistant Attorney General Maury of counsel for the defendants in error & concluded by Mr. Edward Hartley of counsel for the plaintiff in error.

58 William A. Robertson, Collector &c. vs. Pff. in Error. Henry R. Bradbury. Ordered by the Court that by con

said of counsel in this cause, leave be granted Mr. Edwin B. Smith to file a printed argument herein on behalf of parties in other cases pending in this Court interested in the questions involved in this case.

William H. Robertson. Collector &c. vs. Henry R. Bradbury. Deft. in Error.

58

This cause was argued by Mr. Assistant Attorney General Maury. of counsel for the plaintiff in error. and Mr. Edward Hartley of counsel for the defendant in error.

James G. Bracy et al. vs. Louis Duffey. Assignee &c. Deft. in Error.

154

The argument of this cause was commenced by Mr. George Hoadley. of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 25th, 1889.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Lucius H. Cutler Chief Justice
Samuel C. Sutliff
Hylton G. Reed
Joseph P. Bradley. Associate
John M. Haven. Justices
Horace Rowe.
Samuel Blackford
Lucius A. Coleman
John Lee Carroll Esquire Attorney
James A. Tile Esquire Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles E. Pope it is ordered that Will Hartwell, Esquire, of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. J. May it is ordered that

R. G. Davies, Esquire of Helena, State of Montana to be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. A. Gallo, it is ordered that Abel S. Dungan Esquire of Tucson Territory of Arizona be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Warner it is ordered that Lot M. Morrill Esquire of Corpus Christi State of Texas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. D. Morris it is ordered that Theodore M. Livesay Esquire of Columbus State of Ohio, and Joseph Douglas Callaghan Esquire of Newark, State of New Jersey be admitted to practice as attorneys and counsellors of this

Monday, December 26th 1859. Continued

and it is ordered accordingly

Charles Marchand
vs. Appellant.
Cordenio Baker

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford

James E. Vane.
vs. Appellants.
Richard S. Newcombe & James G. Smith, Receivers of the Bankers & Merchants Telegraph Company of New York.

Appeal from the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Herman Royer
vs.
Solomon Roth & C. P. Degen.

Appeal from the Circuit Court of the United States for the District of California.

83

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs: and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Justice Blatchford

96. John B. Winters, Frank Gauald & John Winkelbach, Appellants vs. David B. Ethell, Executor of George G. Settle, deceased, & Fred Bassett.

Appeal from the Supreme Court of the Territory of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Justice Blatchford.

198. The Oregon Improvement Company, Plff. in Error vs. The Excelsior Coal Company.

In Error to the Circuit Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the Circuit Courts of the United States for the Northern District of

California, and was argued by counsel. On consideration whereof It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial

per Mr. Justice Blatchford.

The City of Chanute, ... In Error to the Circuit
vs ... Pltf in Error ... Court of the United States
Wilcox & Christie. ... for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and on a motion to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

The Missouri Pacific Railway Company. vs. The Chicago & Alton Railroad Company. — In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Grier.

Peter Samuels. vs. Peff. in Error. The Parish of Terrebonne. — In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On

consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

The Continental Life Insurance Company of Hartford, Connecticut ... vs ... Peff in Error. ... W. J. Chamberlain, Administrator of Richard Stevens, dec'd. ... In Error to the Circuit Court of the United States for the Northern District of Iowa.

100

This cause came on to be heard from the Circuit Court of the United States for the Northern District of Iowa and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Iowa.

per Mr. Justice Harlan.

The City of Cleveland		In Error to the Circuit
89	vs.	City in Error Court of the United States
Henry King		for the Northern Dis-
		trict of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

per Mr. Justice Harlan

Ezra D. Gritts, Charles H.		In Error to the
Briggs and Joseph A. Thatcher et al.		Circuit Court of
		the United States
72	vs.	Pitts in Error for the District
George W. Palmer		of Colorado.

This cause came on to be heard on the trans

cript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment upon the agreed statement of facts for the defendants.

per Mr. Justice Harlan.

Dissenting:

Mr. Justice Miller.

Henry C. Dahl. ... In Error to the Supreme
vs. ... Pltf in Error. ... Court of the Territory of
Saly Bamkmin. ... Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court

of the Territory of Montana in this cause be and the same is hereby affirmed with costs and that this cause be and the same is hereby remanded to the Supreme Court of the State of Montana.

per Mr. Justice Field.

Henry B. Webb.
vs. Err in Error
The Montana Copper Company.

In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court of the Territory of Montana in this cause be, and the same is hereby, affirmed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Justice Field.

Herman B. Chapman ..... Ord consider-
150 } of Ord. 1888 — vs — Pltf in Error ation of the mot-
Walter H. Barney, President of ion to recall
The United States Express Co. the mandate of
this Court issued

in this cause and to vacate all the proceedings had in said cause in this Court, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The United States of America. Ordered by the
5 Original — vs — Plaintiff Court that leave
The State of North Carolina. be, and the same
is hereby, grant-

ed to file the record as agreed upon by counsel for the respective parties herein.

per Mr. Chief Justice Fuller.

The Family Court of Macon Ord consideration
Family &c. the Justices thereof of the motion to
615 vs. Plff in Error advance this
The U.S. ex rel: Alfred Heidekoper. cause. It is now

were ordered by the Court that said motion be and the same is hereby granted and the cause assigned for argument on the second Monday in January next after the cause heretofore assigned for that day.

per the Chief Justice Fuller.

Cornell University et al
vs. Pffs in Error
Willard Fiske et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same are hereby postponed until the hearing of the cause on its merits.

John L. Sullivan et al.
vs. Pffs in Error
The Iron Silver Mining Co.

It is ordered by the Court that this cause be, and the same is hereby, passed for argument before a full bench

per Mr. Chief Justice Fuller

	John W. Moffit	In Error to the
77	vs. Writ in Error	Circuit Court of
	Charles E. Miller & Chas. L.	the United States
	Arthur, Executors of Chester A.	for the Southern
	Arthur, deceased, late Collector	District of New
	of the Port of New York	York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

	L. O. Brown & Leander	Appeal from the Su-
	Holmes	preme Court of the
79	vs. Appellants.	Territory of Wash-
	William Rauk	ington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington, and was ar-

and by counsel. On consideration whereof
It is now here ordered, adjudged & decreed
by this Court that the decree of the said Su
preme Court of the Territory of Washington
in this cause be, and the same is hereby, af-
firmed with costs: and that this cause be
and the same is hereby remanded to the
Supreme Court of the State of Washington
per Mr. Chief Justice Fuller.

Charles O. Arms and Hannah M. Arms. vs. Appellants. Peter L. Kimberly.

1317

Mr. Samuel Griffith of counsel for the appellee having filed in open Court the following certificate to wit:

"The United States of America.
Northern District of Ohio.
Eastern Division.

Peter L. Kimberly, Complainant
vs.
Charles O. Arms, Hannah M. Arms and The Grand Central Mining Company. Respondents.

In Equity No. 4087

S. Martin U.

Saunders Clerk of the Circuit Court of the United States for said District and Division, do hereby certify, that, on May 24th, 1889, a final decree was entered in said cause, in said Court, in pursuance of the mandate of the Supreme Court of the United States, in said cause at No. 169, and I do hereby further certify that, on said date, the respondent, Charles O. Cruse and Hannah M. Cruse prayed an appeal in said cause, which was allowed & approved by the Court in said cause.

Witness my official signature and the seal of said Court, at Portland, in said District, this 18 day of Oct. A.D. 1889, and in the 114th year of the Independence of the U.S.A.

{Seal.} Martin W. Saunders, Clerk."

moved the Court to docket and dismiss this cause, pursuant to the 9th. rule; and it appearing to the Court that the appellants have failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Cir-

cuit Court of the United States for the Northern District of Ohio be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Dolores G. Astiazara et al. vs. The Santa Rita Land and Mining Co. et al. — Appellants. — Mr. A. J. Dalls of counsel for the appellants submitted to the consideration of the Court a motion to advance this cause.

159

Warren L. Hinds vs. Mary Hinds — Appellant. — Mr. W. G. Morris of counsel for the appellee, having filed in open Court the following certificate, to wit:

1518.

"In the Supreme Court of the District of Columbia.

I, R. J. Meigs, Clerk of said Court, do hereby certify that in a cause lately pending in said Supreme Court wherein Mary Hinds was com-

plaintiff and Warren L. Hinde was defendant a final decree was rendered by said Supreme Court on the 24th day of December A.D. 1888, in favor of said Mary Hinde and against said Warren L. Hinde, and that on the 24th day of Dec. A.D. 1888, said Warren L. Hinde prayed an appeal to the Supreme Court of the United States which was allowed.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court of the District of Columbia this 14th day of November A.D. 1889.

(Seal)

R. G. Meigs, Clerk."

moved the Court to docket and dismiss this cause, pursuant to the 9th rule: and it appearing to the Court that the applicant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Supreme Court of the District of Columbia be, and the same is hereby, docketed and dismissed with costs: and that the cause be, and the same is

hereby remanded to the said Supreme Court, to be proceeded in according to law and justice

per Mr. Chief Justice Fuller.

213 John L. Jencks et al. Executors etc. vs. Appellants The Gudnick Company Zecharias Chafee Trustee and assignee et al.

Mr. W. G. Morris, in behalf of counsel, suggested the death of Zecharias Chafee and the appointment of Cornelius L. Swell and, as his successor as Trustee and Assignee of The A. & W. Sprague Manufacturing Company, and moved the Court to make the said Cornelius L. Swell and as such Trustee and Assignee a party appellee in this cause. Whereupon, It is now here ordered by the Court that the said Cornelius L. Swell and, Trustee and Assignee of The A. & W. Sprague Manufacturing Company be and he is hereby made a party appellee in this cause.

22 Zecharias Chafee, Trustee vs. Appellant Samuel Blatchford, surviving Executor etc.

Mr. W. G. Morris, of counsel suggested the death of Zecharias Chafee

and the appointment of Cornelius L. Swarland as his successor as Trustee, and moved the Court to make the said Cornelius L. Swarland, as such Trustee the party appellant in the cause Whereupon it is now here ordered by the Court that the said Cornelius L. Swarland Trustee &c. be, and he is hereby, made the party appellant in this cause.

180 John D. Sherman et ab. vs. Pepp. in Error. William H. Robertson Solicitor &c. — Mr. Solicitor General Chapman, of counsel for the defendant in error submitted to the consideration of the Court a stipulation of counsel for the respective parties hereto as to the facts in this cause.

254 Carl Pohl et ab. vs. The Anchor Brewing Co. — Appellants — Mr. J. Hubley Ashton in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

James E. Chaney et al
314 vs. Appellees in Error
Louis Cuffley, Treasurer etc.

The argument of this cause was continued by Mr. George Hoadly, of counsel for the plaintiffs in error, and Mr. W. P. Clum, of counsel for the defendant in error. And concluded by Mr. George Hoadly, for the plaintiffs in error.

Delos C. Mellen, Admr. etc.
337 vs. Appellant.
John A. Buckner et al.

John A. Buckner et al.
269 vs. Appellants.
Delos C. Mellen, Admr. etc.

The argument of these cases was commenced by Mr. J. Ward Gurley Jr. of counsel for Mellen, Administrator etc.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday. November, 26th, 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
James F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar

John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on the behalf by Mr. Burch Potter it is ordered that Simon H. Stern, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on the behalf by Mr. Thomas J. Semmes it is ordered that

Wm. L. Scruggs, Esquire of Counsel for C. B. Eustis, Esquire of New Orleans, Late of Louisiana, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

Delos C. Mellen, Admr. etc.
vs. Appellant
John D. Buckner et al
&
John A. Buckner et al.
vs. Appellants
Delos C. Mellen, Admr. etc.

135
269

On argument of these cases was continued by Mr. J. Ward Gurley Jr. of counsel for Mellen, Administrator etc, and Mr. Thomas J. Semmes, of counsel for the heirs of Julia Morgan, Mr. J. R. Beckwith, of counsel for Buckner and Mr. J. G. Smirall, of counsel for Mellen, Administrator etc. and concluded by Mr. John C. Ludeling, of counsel for certain creditors.

Alexander R. Shepherd et al.
vs. Appellants.
George L. Pepper.

60

Mr. Henry Wise Garnett presented the appeal bond of Mercy M. B.

Gray Esq submitted to the consideration of the Court a motion for leave to file the same.

Alexander R. Shepherd et al. vs. Appellants.
George L. Pepper.

The argument of this cause was commenced by Mr. William G. Mattingly of counsel for the appellants.

Argument being ended the Court is adjourned until to-morrow at Twelve o'clock

Wednesday, November 2nd, 1887.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Ludovic Le Batt Chief Justice.
Samuel E. Sutton
Stephen J. Field
Joseph C. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
John M. Wright. Esqre. Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened.

1887. John Irwin
vs Error to
The San Francisco Savings
Union et al.

On motion of
Mr. Henry Lewis
Counsel in the
case of Comm.
Ordered by the
Court that the cause be passed.

136 Alexander C. Hupfield et al ..... vs. ..... Appellants.
George L. Eppes.

The argument of this cause was continued by Mr. William G. Mc-Curry of counsel for the appellants Mr. Henry Wise Garnett of counsel for Mercy M. C. Gray and Mrs. Walter R. Davidge and Mr. Nathaniel Wilson, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve O'Clock.

Monday December 2d. 1872

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L.C. Lamar.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. Attorney General Miller it is ordered that Joel Clarke Baker, Esquire, of Rutland, State of Vermont, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is or-

dered that John Marshall Esquire of Louisville State of Kentucky be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter D. Davidge it is ordered that Eugene C Arnold Esquire of the District of Columbia and Pierce Brown Esquire of Iowa State of Nevada be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Neil Dumont it is ordered that John Sherman Wootton Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wilhelm Eickhardt and Adolf Luttroff Plffs in Error
v.
Edwin A. Merritt late Collector of the Port of New York

In Error to the Circuit Court of the United States for the Southern District of New York.

Monday, December, 2nd. 1889. Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Bradford.

The United States. In Error to the Circuit
vs. Court of the United States
Stanley Barbour and for the District of New
E. L. Sanderson. York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded

to the said Circuit Court with directions to award a new trial.

And it is further ordered that this judgment be entered as of the 30th day of October A.D. 1889. the day upon which said cause was submitted to the Court for decision the said defendant in error, Barlow, having since died.

per Mr. Justice Gray.

Dolores E. Astiazaran et al vs. Appellants
1159 The Santa Rita Land & Mining Company et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

Earl Fish et al. vs. Appellants
1269 The Anchor Brewing Co.

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be and the same is hereby denied.

per Mr. Chief Justice Fuller.

John D. Sherman, Frank D. Cecil & Aaron L. Reed Jr. vs. Plffs. in Error. William H. Robertson, Collector of the Port of New York. In Error to the Circuit Court of the United States for the Southern District of New York.

190

This cause came on to be heard on an agreed statement of facts. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, on the authority of the decision of this Court in the case of John C. Hartranft Collector vs. John W. Oliver 2 Cas. No. 190. October Term, 1884 And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the plaintiffs.

per Mr. Chief Justice Fuller.

L. W. Young, W. W. Young, J. M. Young, H. Slack & A. Dix. Surviving partners of the late firm of J. D. Young deceased J. M. Clarkson & Thomas E. Swann vs. Appellants L. H. Ewart, Administrator de bonis non of

78

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court, in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the appellants: and that this cause be, and the same is hereby, remanded to the said District Court with directions to remand the case to the State Court.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Ed. Mills. Petitioner

Mr. Assistant Attorney General Maury, by leave of Court, filed a return to the rule to show cause issued herein.

1148. John D. Hartzaft, Collector etc. vs. Plff. in Error. Ulmer and Dickinson.

Mr. Assistant Attorney General Maury, suggested the death of John D. Hartzaft. The plaintiff in er-

ror in this cause, and on motion it is ordered by the Court that this cause be, and the same is hereby, passed

The United States. vs. Peff. in Error. Joseph Stowell et al. 167

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Chapman, of counsel for the plaintiff in error, and Mr. E. J. Sherman, of counsel for the defendants in error.

The Washington & Georgetown Railroad Company. vs. Peff. in Error. The District of Columbia. 21

In Error to the Supreme Court of the District of Columbia.

This cause having been called to the attention of the Court by Mr. Walter D. Knowlidge, of counsel for the plaintiff in error and a stipulation to reverse the judgment of the Supreme Court of the District of Columbia in this cause, having been filed, It is therefore in pursuance of said stip

station, and on the authority of the decision of this Court in the case of The Metropolitan Railroad Company, Plaintiff in Error, v. The District of Columbia, No. 5 of October Term 1889, now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter judgment for the defendant on the demurrer to the plea of the statute of limitations

per Mr. Chief Justice Fuller.

382 James Wallace Peake et al. vs. The City of New Orleans et al. Appellants

James Wallace Peake vs. The City of New Orleans, The United States, ex rel. James Wallace Peake. vs. The City of New Orleans et al.

781 Pff. in Error.

781 Pff. in Error.

Mr. Thomas J. Semmes filed a motion to consolidate these cases for the purposes of the hearing

Pay

James Wallace Beake et al. in this Court.
234 vs. Appellants
The City of New Orleans

Byron W. Smith. Mr. Enoch Totten, of
112 vs. Appellant. counsel for the appel-
Artemas Gale et al. lant, suggested the
death of Byron W.
Smith, the appellant herein.

Columbus Shaw. Mr. L. R. Bond, of coun-
264 vs. Plff. in Error. sel for the plaintiff
Maria Ritchie. in error, suggested
the death of Maria
Ritchie, the defendant in error in this cause
and moved the Court for an order, under
the 15th rule, to make the proper repre-
sentatives parties, Whereupon, It is now here
ordered by the Court that unless the proper
representatives of the said Maria Ritchie, de-
ceased, as aforesaid, shall voluntarily be-
come parties within the first two days of
the ensuing term of this Court, the plain-
tiff in error shall be entitled to open the
record, and on hearing have the judgment

reversed if it be erroneous: Provided, however, That a copy of this order shall be printed in some newspaper of general circulation in the District of Columbia for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

1301 The Pacific Express Co. vs. Peff, in Error. Walsh and Colvin. — The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. W. Hallett Phillips, in support of the same, and Mr. John Johns and Mr. A. A. McKnight, in opposition thereto.

1260 James P. Dennis, Admr. etc. vs. Peff, in Error. C. Rue, Treasurer etc. — The cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. L. A. Johnson, of counsel for the plaintiff in error, and Mr. W. W. Morrow of counsel for the defendant in error.

136 Alexander A. Shepherd et al vs. George S. Pepper. Appellants

The argument of this cause was concluded by Mr. Enoch Totten of counsel for the appellants.

137 The Washington & Georgetown Railroad Company vs. Lewis H. Mc. Wade. Pff. in Error.

The argument of this cause was commenced by Mr. Enoch Totten, of counsel for the plaintiff in error. And continued by Mr. C. C. Cole and Mr. W. A. Cook of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday. December 3rd, 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Blatchford
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Reginald Rindall it is ordered that Blair Lee, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Koapke it is ordered that

A. A. Northup. Esquire of Portland. State of Oregon, be admitted to practice as an attorney and counsellor of this Court. and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leigh Robinson it is ordered that Louis C. Massey. Esquire. of Orlando. State of Florida. be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brock Fenw it is ordered that C. W. Mc. Kean. Esquire. of Philadelphia. State of Pennsylvania; be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Upton it is ordered that William A. Harris. Esquire. of San Bernardino. State of California, be ad-

mitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

411. The United States. vs. Jesse D. Carr. Appellant.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Attorney General Miller of counsel for the appellant, and Mr. A. J. Willard and Mr. S. W. Lake, of counsel for the appellee.

263. The Schooner "Comet" her tackle etc. W. H. Aldrich Master etc. vs. O. L. Stetson and Company owners of the schooner "John J. Taylor," and Boston, Bliss and Dallett owners of the cargo of the schooner "John J. Taylor." Appellant.

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause having been called to the attention of the Court by Mr. James Lowndes, on behalf of counsel, and a stipulation to

dismiss this cause having been filed. It is, therefore, in pursuance of said Stipulation now here entered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed. Clerk's costs in this Court to be paid by appellant

per Mr. Chief Justice Fuller.

The Schooner Pearl &c. vs. Appellant
O. O. Stetson & Company et al. Appellees

On motion of Mr. James Lowndes in behalf of counsel

Leave is hereby granted the Clerk to issue the mandate in this cause.

The Washington & Georgetown Railroad Company. vs. Plff. in Error.
Lewis H. Mc. Dade.

The argument of this cause was concluded by Mr. Walter D. Davidge, of counsel for the plaintiff in error.

The Insurance Company of North America		The argument of this cause was commenced by Mr. Laurence Lewis Jr. of counsel for the appellant.
138.	vs. Appellant	
The Hibernia Insurance Company of New Orleans		

continued by Mr. Thomas J. Semmes, of counsel for the appellee. and concluded by Mr. J. M. Wilson, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, December 4th 1850

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Thomas W. Sutton Chief Justice
Samuel B. Sutton.
Stephen J. Field
Joseph P. Bradley. Associate
John W. Harrison Justices
Solomon Heydenfeldt.
Samuel Bridgford.
Lucius H. C. Lawrence.

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Henry Wise Garnett it is ordered that H. A. Barclay, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Springer it is

ordered that John Wayo Palmer Esquire of Tucoma State of Washington, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Gamphrin it is ordered that Edwin Bacher Esquire of Maryland State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. C. Watson it is ordered that William L. Corr Esquire of Pittsburgh State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

1145 Francis A. Palmer. vs. Plff in Error
Martin C. Mc. Mahon Receiver of Penn. M. L. Ins. Co.

On motion of Mr. William A. Field, of Counsel for the plaintiff in error, It is ordered by the Court that this cause be and the same is

hereby passed, subject to the provisions of section 9. Rule 26.

724 Prentiss N. Clancy. vs. Appellant, Jacob Libby.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed argument by Mr. A. A. Goodrich, of counsel for the appellant, and Mr. S. P. Davidson, of counsel for the appellee.

149 The Southern Development Company. vs. Appellant. The Houston & Texas Central Railway Company et al.

Appeal from the Circuit Court of the United States for the Eastern District of Texas.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged & decreed by this Court, that this appeal be, and the same is hereby dismissed with costs.

140	William H. Robertson, Collector &c. vs. Otto Gerdau.	Writ of Error.

The cause was argued by the Assistant Attorney General Maury, of counsel for the plaintiff in error, and Mr. Edwin C. Smith, of counsel for the defendant in error.

141	John O'Neil, vs. The State of Vermont.	Writ of Error.

The argument of this cause was commenced by Mr. Joel Clarke Baker, of counsel for the plaintiff in error. Whereupon, It is now here ordered by the Court that this cause be, and the same is hereby, passed for argument before a full Bench.

142	John C. Orr and al. Executors &c. vs. Philip Babcock et al.	Appeal.

The cause was argued by Mr. D. C. Watson, of counsel for the appellants, and Mr. George A. Soule, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, December, 5th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice

Samuel F. Miller,

Stephen J. Field

Joseph P. Bradley, Associate

Horace Gray, Justices

Samuel Blatchford

Lucius Q. C. Lamar

John W. Wright, Esquire, Marshal

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in that behalf by Mr. Louis C. Massey it is ordered that Morris L. Barratt, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eppa Hunton it is ordered that Alonzo V. Lynde, Esquire, of Boston, State of

Massachusetts and Charles O'Neil Esqrs. of New York City, be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

The Commercial Manufacturing Company (Consolidated) et al. vs. The Fairbank Canning Co. — Appellants

253

Mr. Lysander Hill, of counsel for the appellees suggested a diminution of the record in this cause, and moved the Court to award a writ of certiorari. Whereupon it is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded, and leave is hereby granted to apply to the Circuit Court for an order to supply the document designated in said writ.

Ex parte: In the matter of Ed. Mills. — Petitioner.

On motion of Mr. Van H. Manning, of counsel for the petitioner, leave is hereby granted to prosecute this case in forma pauperis.

Neptune Clayton
43. vs. Appellant
The People of the Territory of Utah
ex rel: U.S. Dickson, U.S. Attorney.

&

James Jack.
411 vs. Appellant
The People of the Territory of Utah.
ex rel: U.S. Dickson, U.S. Attorney.

These cases were argued by Hon Eppa Hunton of counsel for the appellants and Mr. Solicitor General Chapman of counsel for the appellee.

Edward M. Mc Gillin
1416 vs. Pff. in Error.
Milton H. Smith et al. Def.

The argument of this cause was commenced by Mr. S. V. White of counsel for the plaintiff in error, and continued by Mr. A. B. Johnson of counsel for the defendants in error

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Friday. December 6th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.

John W. Wright. Esquire. Marshal.
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

No. 1112 Johann B. Hoff. vs. Appellant. Warrant & Polk County.

On motion of Mr Enoch Totten his letters of admission as counsel for the appellant.

It is ordered by the Court that this cause be and the same is hereby, dismissed subject to the provisions of section 1 Rule 16.

157 The Continental Life Insurance Company. vs. Pltf. in Error. John Mitchell et al.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

270 Henry W. Hale et al. Executors etc. vs. Pltfs. in Error. Stephen Akers et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. W. W. Pope, of counsel for the plaintiffs in error and Mr. E. L. Hackett, of counsel for the defendants in error.

1146	Edward M. Mc Gillin vs. Coff. in Error. Milton H. Bennett et al.	The argument of this cause was continued by Mr. J. B. Johnson, and Mr. Charles B. Pope of counsel for the defendants in error, and concluded by Mr. S. U. White, of counsel for the plaintiff in error.
1147	M. M. Wheeler et al. vs. Appellants. J. C. Floyd et al.	Mr. Lucien Birdseye, of counsel for the appellees, suggested the death of John B. Cornell, one of the appellees, and moved the Court to make William A. L. Cornell, John M. Cornell and Henry M. Cornell, Executors of the said John B. Cornell, parties appellees. Whereupon, It is now here ordered by the Court that the said William A. L. Cornell, John M. Cornell and Henry M. Cornell, Executors of John B. Cornell, deceased, be, and they are hereby, made parties appellees in this cause.
1147	M. M. Wheeler et al. vs. Appellants. J. C. Floyd et al.	The argument of this cause was commenced by Mr. H.

Arguments of counsel for the appellants, continued by Mr. Lucien Birdseye and Mr. Edwin Belcher, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, December, 9th, 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that M. M. Estee, Esquire, of San Francisco, State of California, and Curtis H. Remy, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. H. J. May, it is ordered that John L. Duffie, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that W. O. Davis, Esquire, of Gainesville, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Marble, it is ordered that W. W. Mitchel, Esquire, of Ionia, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

033. The United States. Appeal from the District
vs. Appellant. Court of the United States
Dyer Davis. for the District of Maryland

This cause came on to be heard on the trans-

cript of the record from the District Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby, affirmed.

per Mr. Justice Lamar.

The United States. Appeal from the District
1034 vs. Appellant. Court of the United States
Henry Schofield. for the District of Maryland.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court, in this cause be, and the same is hereby affirmed.

per Mr. Justice Lamar.

Joseph E. Young.		Appeal from the Cir-
34	vs. Appellant	cuit Court of the Un-
The Township of Clarendon.		ited States for the
& The Michigan Air Line		Eastern District
Railroad Company.		of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

The Hastings & Dakota		In Error to the
Railroad Company.		Supreme Court
49	vs. Pff. in Error.	of the State of
Julia A. Whitney & John		Minnesota.
Whitney.		

This cause came on to be heard on the transcript of the record from the Supreme Court

of the State of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

Frederick Muller and Adolph Jacobs, Assignees of Goldsal and Company.

vs

Anthony B. Norton, Antonio Joseph Soulé and John Wesley Hedrick.

In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby,

remanded to the said Circuit Court with direction to take such further proceedings as shall not be inconsistent with the opinion of this Court.

per Mr. Justice Lamar.

William Roemer ..... Appeal from the Circuit
120 ..... vs. ..... Appellant. Court of the United States
Thomas B. Peddie and for the Southern Dis-
George B. Jenkinson ..... trict of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

William Roemer Appeal from the Circuit Court
121 vs. Appellant. of the United States for the South-
Albert O. Stradley ern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

William Roemer, Appellant, vs. Charles Kupper, Appellee. Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

William Roemer.		Appeal from the Circuit
33	vs.	Court of the United States
Richard C. Jenkinson.	Appellant.	for the District of New Jersey

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Blatchford

James O. Cleaveland, Cornelius		In Error to
B. Cummings and Washington		the Circuit
Libby.		Court of the
120	vs.	United States
Charles L. Smith, George K. Reed,	Plffs. in Error.	for the Nor-
Ralph L. Cutter and Harrison		thern District
Gardner, survivors of themselves		of Illinois.
and George C. Richardson.		

This cause came on to be heard on the trans

cript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with a direction to enter judgment for the defendants on the findings of facts.

per Mr. Justice Blatchford.

Dissenting:

Mr. Justice Miller.

(Mr. Chief Justice Fuller having been of counsel in this case did not sit in it, or take any part in its decision)

116. Wolf Backrack. In Error to the
W. Peffer in Error. Circuit Court of
Anthony C. Hodges D. A. the United States
Witness, James Easley, Mass for the Northern
Illinois & W. Dodd, Marcus District of Illinois.
Dodd & Hamilton Days 3 May.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States, for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the exceptions and take such further proceedings in the case as to law and justice may appertain.

per Mr. Justice Bradley.

The Rio Grande Railroad Company		In Error to the Circuit Court of the
113.	vs.	Pff. in Error. United States for
John B. Uhet, Native Testamentary Executor of A. J. Sowell		the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Eastern District of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to discharge the rule.

per Mr. Justice Field.

Mrs. Nancy A. Bradley, wife of G. A. Schein & Christopher Staffe, Junior, syndic. vs. Appellants. Horace E. Chaffin, Edward S. Evans, Horace G. Burchard et al. composing the firm of H. B. Chaffin & Co. et al.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

110.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the

decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Lurton

Sam Klein and Joseph Kleinhermer, composing the firm of Ensberg, Klein & Company vs Otto in Error. Solomon Hoffheimer, Max Hoffheimer & Abraham Hoffheimer, composing the firm of Hoffheimer Brothers. In Error to the Circuit Court of the United States for the Northern District of Texas.

112

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed

with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

per Mr. Justice Miller.

C. H. Dyer & John A. Hall		In Error to the Circuit Court of the United States for the Northern District of Texas.
119	vs.	
	Pfts. in Error	
A. E. Watson		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and award a new trial.

per Mr. Justice Miller.

Henry Lung.
1219 vs. Pff. in Error
The People of the State
of Michigan

On consideration of the motion to advance on the cause it is now ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument before a full Bench.

per The Chief Justice Fuller.

The Chicago & Alton
Railroad Company
118 vs. Pff. in Error.
Henry H. Waterman.

On motion to vacate and set aside the judgment entered in this cause on 7th December 18th, 1889 and to reinstate the cause upon the docket and assign the same for hearing on its merits was submitted to the consideration of the Court on printed arguments by Mr. William Cary and Mr. J. C. Sloan, in support of the same, and Mr. O. H. Gellers, in opposition thereto

1822

David J. Hennessy.
vs. Appellant.
George V. Bacon and
Edward L. Rogers.

Mr. D. F. Davis, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"United States Circuit Court
District of Minnesota.

George V. Bacon and
Edward L. Rogers,
Complainants
vs.
David J. Hennessy,
Defendant
} In Equity.

I, Oscar B. Hellis, Clerk of said Court do hereby certify that in the above entitled cause judgment and decree in favor of the above named complainants and against the above named defendant was duly signed, filed and entered in said cause in said Court on the 16th day of September A.D. 1882: a full true and correct copy whereof is hereunto attached and made a part hereof, and marked Exhibit "A." That at the same time aforesaid the said defendant in open Court prayed an appeal from said de-

ree to the Supreme Court of the United State
which was then and thereby by the Court
duly allowed, and it was then and there by
the Court further ordered that said appeal
operate as a supersedeas upon the defend
ant entering into and filing a bond in the
sum of One thousand dollars: the same
to be approved by the Circuit Judge: all
of which will more fully appear by referenc
to the aforesaid, Exhibit "A." hereto attach
That upon the 14th day of Novem
ber A.D. 1888. the defendant filed a bond
in the sum of One thousand dollars duly
approved by the Circuit Judge. thereby for
feiting his said appeal.

Witness my hand and the
seal of said Circuit Court
at St. Paul, in said District
this 13th. day of November,
A.D. 1889.

Oscar B. Mills.
Clerk U. S. Circuit Court
for District of Minnesota."

Seal.

moved the Court to docket and dismiss
this cause pursuant to U. S. rule: and

it appearing to the Court that the appellant has failed to cause the cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that the appeal from the Circuit Court of the United States for the District of Minnesota, be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Fuller.

1346 The State of Minnesota vs. Appellant. Henry E. Barber. On motion of Mr. John C. Gray. It is ordered that leave be granted counsel for the State of Indiana to file a printed brief in this cause.

1141 E. C. Lugg & Brother vs. Pipe in Error James P. Brouton. On motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments

by Mr. William Wirt Dic. C. H. Dean and Mr. James Roberson in support of the same and Mr. Lawis Sobston and Mr. W. C. Dane in opposition thereto. And on motion of Mr. W. D. Dane leave was granted time to file an additional printed brief within one week.

Ex parte: In the matter of Ennis C. Watkins Petitioner.

Mr. E. S. Eagleston of Counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein

692 The Central Transportation Co. vs. Pullman's Palace Car Co. Plff. in Error.

The motion to advance this cause on the docket for the present term was argued by Mr. E. S. Isham, in support of the same, and Mr. F. P. Prichard in opposition thereto

Singleton Vs. Schaefetter. The motion to dis-
390. vs. Appellant. miss in this cause
The Sheriff of the Parish was submitted to
&c. vs. Edward C. Wade. the consideration
of the Court on the
record and printed arguments by Mr. C. H.
Adams, in support of the same and Mr. P. O.
Mc. Keehan, in opposition thereto.

Daniel Hunn. This cause was submitted
172 vs. Appellant. to the consideration of the
Charles W Beck. Court, pursuant to the
20th. rule, on the record
and printed arguments by Mr. Daniel Mc Laugh
lin and Mr. W.R. Hale, of counsel for the ap-
pellant. and Mr. R. O. Burton, of counsel for
the appellee.

Edward Wackall et al. Ordered by the
159 vs. Appellants. Court that this
Brooke Wackall Jr. et al. cause be placed
at the foot of the
call on the first day in January that the
Court may be in session.

Stephen A. Wells
1141 vs. Supt. in Error
W. L. Allen, Admr. &c.

The cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George L. Peale and Mr. A. C. Blanchfield, of counsel for the plaintiff in error, and Mr. Fillmore B. Allen of counsel for the defendant in error.

W. W. Wheeler et al.
1147. vs. Appellants.
J. C. Cloyd et al.

The argument of this cause was concluded by Mr. H. Tompkins of counsel for appellants.

Samuel D. Davis
1261 vs. Appellant.
N. G. Beason, Sheriff &c.

The argument of this cause was commenced by Mr. J. M. Wilson of counsel for the appellant, and continued by Mr. H. W. Smith of counsel for the appellee

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Thursday. December. 10th. 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright. Esquire. Marshal
James H. McKenney. Clerk.

Proclamation being made the Court is opened.

Samuel C. Davis.
v. Appeal.
1261 H. G. Reason, Sheriff &c

The argument of this cause was continued by Mr. H. W. Smith of counsel for the appellee, and concluded by Mr G. L. Richards of counsel for the appellant

150	The Thomas Taylor Co. vs. Augustus Spugel et al.	Appellant	This cause was argued by Mr. C. C. Jacobs, of counsel for the appellant. No counsel appeared for the appellees.
152.	William G. Patrick et al. vs. Charles H. Graham et al.	Plffs. in Error.	This cause was argued by Mr. C. S. Thomas, of counsel for the plaintiff in error, and Mr. A. W. Rucker, of counsel for the defendants in error.
153.	J. M. B. Reynolds, Assignee etc. vs. John Adden et al.	Appellant.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. G. A. Breaux, of counsel for the appellant, and Mr. D. A. Penny and Mr. A. V. Lynde, of counsel for the appellees.

Julius K. Graves

155 vs. Appellant.

Chester C. Corbin.

and

The First National Bank

of Chicago, Illinois

180 vs. Appellant

Chester C. Corbin.

The argument of these cases was commenced by Mr. J. M. Glover, of counsel for the appellants.

Proclamation being made the Court is adjourned until Thursday next at twelve o'clock.

Thursday, December, 12th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley, Associate
John M. Harlan, Justices
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

William G. Aldrick et al. vs Pepper Bros. & Co. et al. No. 132. On motion of Mr. A. W. Rucker, of counsel for the defendants in error, leave is hereby granted them to file a supplemental brief in this cause.

Robert Strauk		In Error to the Circuit
1419	vs. Eff. in Error	Court of the United States
Nathan L. White et al		for the Northern District
		of Illinois.

This cause having been called to the attention of the Court by Mr J. M. Flower, in behalf of counsel, and a stipulation to dismiss this cause having been filed. It is therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, each party to pay its own costs in this Court.

per Mr. Chief Justice Fuller.

The Shaw Relief Valve		Appeal from the Circuit
Company.		Court of the United States
1165	vs. Appellant.	for the District of
The City of New Bedford.		Massachusetts.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here

ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

Julius St. Louis
vs. Appellant.
Chester C. Corbin.
and
The First National Bank
of Chicago, Illinois
180 vs. Appellant.
Chester C. Corbin.

The argument of these cases was continued by Mr. J. M. Glover, of counsel for the appellants, and Mr. W. J. Manning of counsel for the appellee.

Proclamation being made the Court is adjourned until 10 o'clock tomorrow.

Monday. December 12th. 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John M. Wright. Esquire, Marshal.
James H. Mc. Kenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Evarts it is ordered that William Allen Esquire Esquire of the City, County and State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry L. Dawes it is ordered that

Charles Howard Williams Esquire of the City County and State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion leave is granted to the Counsel of the respondent by the Clerk of this Court that Alfred Steven Hall Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Julius K. Graves
vs. Appellant.
Charles C. Porter
&c.

The Appeal of the said Julius K. Graves from the decree of the Circuit Court of the United States for the Northern District of Illinois in favor of the said Charles C. Porter et al. was argued by Mr. William G. Manning of Counsel for the Appellant

The First National Bank of Chicago. Illinois
vs. Appellant.
Charles C. Porter.

John H. Wendenhall
vs. Appellant.
Clark W. Hall.

This cause was submitted to the consideration of the Court on the record

and a printed argument by Mr. John Lowe and Mr. D. A. Mc Knight, of counsel for the appellant. No counsel appeared for the appellee.

160 W. W. Cleary, Assignee &c. vs. Pfy. in Error. The Ellis Foundry Company. This cause was argued by Mr. Eugene M. Johnson, of counsel for the plaintiff in error; and Mr. Joshua D. Bell of counsel for the defendant in error.

Ex-parte: In the matter of James F. Austin Petitioner

Ex-parte: In the matter of James F. Lamar Petitioner

Mr. Henry Wise Garnett, of counsel submitted to the consideration of the Court motions for leave to file petitions for writs of habeas corpus, and for leave to prosecute in forma pauperis.

162 Edward Avery Adm. &c. vs. Pfy. in Error. W. W. Cleary Assignee &c. This cause was argued by Mr. Joshua D. Bell, of counsel for the plaintiff in error & Mr. Eugene M. Johnson of counsel for the defendant in error.

The Forbes Lithographic Manufacturing Company
vs.
Roland Worthington, Collector &c.

This cause was submitted to the Court by Mr. L. G. Bowman of counsel for the plaintiff in error, and Mr. Assistant Attorney General Maury, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. December, 16th, 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that George Stillyer, Esquire, of Orleans, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. D. Morris it is ordered that

Henry D. Wathen Esquire of Lewisburg, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn according ly.

On motion first made to the Court in this behalf by Mr. Attorney General Willson it is ordered that John Lurton, Esquire of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Mehitable B. Greene, William W. Crapo & Charles V. Clifford Trustees, et al. vs. James Taylor & John Bruce.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, That the decree of the

said Circuit Court, in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter a decree dismissing the bill, with costs.

per Mr. Justice Blatchford.

William H. Robertson, Collector of the Port of New York, v. Otto Gerdau. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Justice Clifford.

Edward W. Mc. Cullen		In Error to the Circuit
146	vs	Court of the United States
Julius H. Bennett and		for the Northern Dis
Robert L. Dunman		trict of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until said at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Blatchford.

R. H. Paul.		Appeal from the Supreme
97	vs. Appellants.	Court of the Territory of
Henry B. Cullum.		Arizona.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the Territory of Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

John G. Pierce & Robert Arthur Pierce of John Dippold and Louise Dippold, Appellants. vs. Philip Pabst & Kate Pabst his wife, and John Dippold and Hannie Dippold, his wife.

142 Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

William H. Robertson, Collector of the Port of New York. ... Plff. in Error. ... vs. ... Henry R. Bradbury. ... In Error to the Circuit Court of the United States for the Southern District of New York.

58.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York. ... per Mr. Justice Bradley.

James C. Pennie, Administrator of the estate of Edward A. Ward, dec'd. ... Plff. in Error. ... vs. ... The Pacific Mutual Life & Health Insurance Fund of the City & County of San Francisco. ... In Error to the Supreme Court of the State of California.

1260

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

The Western Union Telegraph Company. ... Pltf. in Error. / 115 / v. / Thomas Seay, Controller, C. N. Warren Secretary of State, Tyrus D. Hogue, Auditor, & John L. Cobbs, Treasurer, composing the State Board of Assessment. ... In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court

in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court with instructions for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Miller.

Ex parte: In the matter of Erwin C. Watkins, Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein and of the argument of counsel in support of the same, It is now here ordered by the Court, that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

The Chicago & Alton Railroad Company, Plff. in Error, vs. Henry H. Watkins. On consideration of the motion to dismiss this cause for want of jurisdiction, and to set aside the judgment entered in this cause November 18, 1889, and to reinstate the cause upon the docket and assign same

118

for hearing upon its merits and of the argument of counsel thereupon had in support of and against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Livingston &c. Petitioner
vs. Appellant.
The Territory of New Mexico
ex rel. Edward B. Wells.

390 It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the case on its merits.

per Mr. Chief Justice Fuller.

190 Pullman's Palace Car Co. Appellant in Error
vs. The Central Transportation Co.

192 The Central Transportation Co. Appellant in Error
vs. Pullman's Palace Car Co.

On consideration of the motion of counsel for Pullman's Palace Car Co. to advance case No. 192 for argument with No. 190, on the docket for the present term and of the argument

of counsel thereupon heard, on writs in support of & against the same. It is now here ordered by the Court that case No. 176, &c. and the same is hereby advanced and re-stood for argument with case No. 176 as one case.

per Mr. Chief Justice Fuller

Ex parte: In the matter of James J. Medley. Petitioner

And

Ex parte: In the matter of James H. Savage. Petitioner.

On consideration of the motion for leave to file petitions for writs of habeas corpus herein, and for leave to prosecute in forma pauperis,

It is now here ordered by the Court that said motions be, and the same are hereby, granted: and it is further ordered that writs of habeas corpus issue herein at once, returnable forthwith.

per Mr. Chief Justice Fuller

John H. Wendenhall. ... It is ordered by the
103. vs. Appellants. Court that leave
Clark H. Hall. ... be granted to make
the representatives
of Charles P. Hall deceased, parties appellees here-
in and to file printed briefs on or before the
first Monday in January next
per Mr. Chief Justice Fuller.

James Wallace Peake et al. On consideration
329 vs Appellants of the motion to
The City of New Orleans et al. consolidate these
James Wallace Peake causes for the
780 vs Pff. in Error purposes of the
The City of New Orleans. hearing in this
The U.S. ex rel: James Wallace Court.
Peake, Pff. in Error. It is now
781. vs. here ordered by
The City of New Orleans et al. the Court that
and
James Wallace Peake et al. said cases be
1234 vs Appellants. heard when No.
The City of New Orleans. 329 is reached
in the regular
call of the docket,
as one case and in the time assigned for an

gument of one case.

per Mr. Chief Justice Fuller.

William H. Robertson, Collector of the Port of New York.		In Error to the Circuit Court of
97.	vs.	Plff. in Error. The United States
Jesse Rosenthal and Samuel Rosenthal.		for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to award a new trial.

per Mr. Chief Justice Fuller.

Frank Stone		Appeals from
103	vs. Appellant	the Court of
The United States		Claims.

The United States

103. vs. Appellants.

Grant Hume.

This cause came on to be heard on the transcript of the record from the Court of Claims on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Fuller.

Isaac B. Betts

114 vs. Plff. in Error.

Jacob W. Hoyerdat.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and a printed argument by Mr. W. H. Hoeup, in support of the same, and leave was granted Mr. A. Nichols to file a printed brief in opposition thereto on or before Monday next.

Joseph Thurston et al. vs. Peffs. in Error. Helen M. Kelsey et al. — 538

The motion to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and a printed argument by Mr. H. W. Palmer, in support of the same, and leave was granted Mr. O. Nichols to file a printed brief in opposition thereto on or before Monday next.

Charles H. Wight vs. Appellant. Joseph H. Nicholson, Superintendent etc. — 521

Mr. Geo. M. Nickinson, in behalf of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

The State of Virginia vs. Complainant. The State of Tennessee.

Mr. R. A. Ayres, of counsel for the complainant, submitted to the consideration of the Court a motion for leave to file a bill in chancery herein and for a subpoena.

216. James W. Elwell, Trustee etc. vs. William R. Goodick et al. Trustees etc. Appellant.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. H. Lyford in support of the same. & Mr. E. M. Curtis and Mr. J. A. Lunde, in opposition thereto.

164. John W. Burt et al vs. Alexander D. Gray et al Appellants

This cause was argued by Mr. Thos. D. Hope of counsel for the appellants & Mr. Frederic H. Betts of counsel for the appellees.

166. The Nashua & Lowell Railroad Corporation vs. The Boston & Lowell Railroad Corporation et al. Appellant

The argument of this cause was commenced by Mr. B. F. Phelps of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Tuesday, December 17th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller.
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Samuel Blatchford
Lucius Q. C. Lamar

John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Charles F. Manderson it is ordered that John J. Gregory, Esquire, of Lincoln State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

213 John J. Jacks et al. Executors &c. vs. The Sudduth Company et al. Appellants. Mr. O. A. Barrett, of counsel for

The appellants submitted to the consideration of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari in this cause.

175 | W. L. Nelson & Company vs. The First National Bank of Stevens Point, Wisconsin. | In Error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause having been called for hearing on its regular order, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

166 | The Wisconsin Central Railroad Corporation vs. The Boston Railroad Corporation et al. | The argument of this cause was continued by Mr. E. C. Phelps & counsel for

the appellant and Mr. J. H. Barlow Jr. of counsel for the appellee and concluded by Mr. Francis T. Brooke of counsel for the appellant.

No. Thomas H. Wason et al. Appts.
vs. The Newark Mining Co. et al.

and No. The Newark Mining Co. et al. Appts.
vs. Thomas H. Wason et al.

The argument of these cases was commenced by Mr. Don M. Dickinson, of counsel for Wason et al.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Samuel Nelson
Lucius Q. C. Lamar.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that W. A. Ledbetter, Esquire, Esquire of Sherman, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. S. Davis it is ordered that Mark W. Gilmore, Esquire of Uniontown, State

of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	Ex parte: In the matter of James J. Medley.	Ordered by the Court that these
5.	Original — Petitioner	cases be, and they
	&	are hereby, assign-
	Ex parte: In the matter of James H. Savage.	ed for argument on the second Mon-
6.	Original — Petitioner	day in January next at the head

of the call for that day.

	John Lyle.	Mr. John G. Lacey
1774.	vs. Appellant.	in behalf of coun-
	Loretta Sturgeon et al.	sel suggested the

death of John Lyle, the appellant herein, and moved the Court to make John Pister and William Lyle Executors, and Andrew Lyle, sole heir of said John Lyle, the parties appellants, per stipulation of counsel. Whereupon, It is now here ordered by the Court that the said John Pister and William Lyle Executors,

and Lester Lyle, sole surviving of John Lyle deceased, &c. and they are hereby, made the parties appellants in this cause.

E. W. D. & C. Railroad Co. Company. vs. Appellants. John Addem et al.

178. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Thomas H. Mason et al vs. Appellants. The Peoria Mining Co. et al

168. The argument of these cases was continued by Mr Wm. M. Richardson of counsel for Mason et al. for

The Peoria Mining Co. et al vs. Appellants Thomas H. Mason et al.

240.

Mr. Thomas H. Talbot, of counsel for The Bowabic Mining Co. et al. & concluded by Mr. Dickinson, for Mason et al

Bertrand Saloy
72 vs. Pff. in Error.
Simon Block.

The argument of this cause was commenced by Mr. William A. Maury, of counsel for the plaintiff in error, and continued by Mr. George A. King, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. D. Warfield it is ordered that Thomas B. Mc. Martin Esquire of Sioux Falls, State of South Dakota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf Mr. Assistant Attorney General Maury

it is ordered that William C. Howell. Esquire of Keokuk, State of Iowa, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly

On motion first made to the Court in that behalf by Mr. James L. Pugh it is ordered that Thomas R. Roulhac, Esquire, of the firm, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

The Chief Justice announced that the Court would adjourn on Monday, the 23d. instant to Monday, January 6th, 1890.

Bertrand Talcy. vs. Peff. in Error Simon Block. — The argument of this cause was continued by Mr. George A. King. of counsel for the defendant in error, and concluded by Mr. William A. McCurry of counsel for the plaintiff in error.

	The L. Louis & San Francisco Railway Company.	The cause was argued by Mr. John E. Burrill of counsel for the appellant & Mr. Chas. E. Miller of counsel for the appellee
41	vs. Appellant.	
	Walter S. Johnston	
	The Louisville & Nashville Railroad Company.	The cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Hamill of counsel for the plaintiff in error & Mr. Charles W. Chomas of counsel for the defendant in error.
69.	vs. Pff. in Error.	
	Lucinda Wangelin.	
	William A. Peterson, Collector &c.	The argument of this cause was commenced by Mr Solicitor General Chapman of counsel for the plaintiff in error.
170.	vs. Pff. in Error.	
	Charles A. Eckhoff et al.	

Proclamation being made the Court adjourned until to-morrow at Twelve o'clock.

Friday. December 20th. 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan Justices
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
John W. Stanyan, Esquire Secretary
James H. McKenney, Clerk.

Proclamation being made the Court is opened

No. 1 Original. The United States of America ---vs--- The State of North Carolina. Plaintiff

On motion of Mr. A. H. Phillips, of counsel for the plaintiff, It is ordered by the Court that the cause be, and the same is hereby, assigned for argument on the second Monday in January next, & for the order heretofore assigned for that day.

The Newport & Wickford Rail		In Error to the
road & Steamboat Company		Circuit Court of the Un
183 vs.	Pff. in Error.	ited States for the Dis
John Beattie.		trict of Rhode Island.

This cause having been called for hearing in its regular order and a stipulation to dismiss the cause having been filed It is Therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

John Smith		In Error to the
186 vs.	Pff. in Error	Court of Com-
The Exchange Bank of Wause-		mon Pleas of
burg, Pa. use of John B. Stumbaugh		Venango County
and Wm. E. Ewing now for use		State of Penn-
of C. W. Downey.		sylvania.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is Therefore, on motion-

ance of the 10th rule of this Court was here entered and adjudged by the Court that the writ of error in this cause be and the same is hereby dismissed with costs

for the Chief Justice

170 William H. Roberson, Collector &c. vs. Chas. A. Edelhoff et al. Pff in Error. This argument of this cause was continued by Mr. Solicitor General Chapman, of counsel for the plaintiff in error, and Mr. Joseph H. Choate, of counsel for the defendants in error, and concluded by Mr. Solicitor General Chapman, for the plaintiff in error.

171 Chas. Richmond vs. Marshall B. Blake Collector &c. Pff in Error. This cause was argued by Mr. H. E. Dow ner of counsel for the plaintiff in error, and Mr. Alphonso Hart of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 2nd 1867.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Nathan W. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Horace Gray.
Samuel Nelson

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that William Rush Taggart, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Morgan it is ordered that Richard W. Walker, Esquire, of Arkansas

ville, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion of Mr. M. G. Marshall it is ordered that E. O. G. Brady, Esquire, of Washington, District of Columbia, and Thomas Pincher, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Henry M. Hale & Georgiana L. Schell, Executors of Theodore L. Schell.

vs.

Stephen Akers & Montgomery Akers.

In Error to the Supreme Court of the State of California.

270

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this

cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Blatchford.

The State of Oregon Land Improvement Company. vs. Penn. in Error & Appt. U. S. Bradbury et al

105

It is ordered by the Court that the original transcript of the record filed in this Court may be withdrawn for the purpose of procuring the signature of the Clerk of the Supreme Court of the Territory of Idaho to the certificate of authentication and that upon the return of the said transcript, so amended, the decree of that Court be affirmed.

per Mr. Justice Gray.

The Sugar Manufacturing Company. vs. Pff. in Error. Katie Patton.

102

In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and

was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

per Mr. Justice Gray.

	The New Orleans Railroad Company		Appeal from the Circuit Court of
114		vs. Appellant.	the United States
	John C. Ewell, Executor &c;		for the Eastern
	Tamentary Executor of J. J.		District of Louis-
	Gomila, et al.		iana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is

hereby, affirmed with costs

per Mr. Justice Miller.

James L. Bivens, Trustee &c. vs. William N. Pedrick et al., Trustees &c. — 216 — Appellant. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the case on its merits.

per Mr. Justice Miller.

The State of Virginia vs. The State of Tennessee. — Complainant. On consideration of the motion for leave to file a bill in chancery herein and for a subpoena. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and that a subpoena in chancery returnable on the first Monday in April next, be issued herein and served, together with copies of said bill upon the Governor and Attorney General of the State of Tennessee.

per Mr. Chief Justice Waite.

John F. Yeucks et al. Executors etc. Appellants.
213. vs.
The Guiduck Company et al.

On consideration of the suggestion of a diminution of the record and motion for a writ of certiorari in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Charles H. Wight. Appellant.
321. vs.
Joseph H. Nicholson, Superintendent of the Detroit House of Correction.

On consideration of the motion to advance this cause It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January next, at the foot of the call for that day.

per Mr. Chief Justice Fuller.

The Globe Lithographic Manufacturing Company.		In Error to the Circuit Court
163.	vs. Pff. in Error.	of the United States
Roland Worthington, Collector of Customs for the District of Boston and Charlestown		for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

S. C. Lugg & Brother, a partnership composed of Jos. C. Lugg & S. C. Lugg.		In Error to the Supreme Court of the State of
1141.	vs. Pffs. in Error.	Texas.
Hiram F. Thomson		

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of Texas, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

1301 The Pacific Express Company vs. Pltf. in Error. Malin & Bro., a firm composed of Sam. Malin and George Colvin. In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is

hereby, affirmed with costs, and ordered, mandate paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

per Mr. Chief Justice Fuller.

The United States of America. Appellant. vs. The State of North Carolina. Appellee. No. 3. Original. On motion of Mr. Attorney General Miller, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on Monday, January, 27th, 1890.

Jean Pierre Louis Dominique Antoine de Geofroy et al. Appellants. vs. Francis Riggs et al. Appellees. 1431. This cause was submitted to the consideration of the Court, pursuant to the 40th rule, on the record and printed arguments by Mr. J. Hubley Ashton of counsel for the appellants, and Mr. John Lee Carroll of counsel for the appellees.

Quincy A. Vivat, as Administrator of William L. Burt, dec'd. ... Pltf. in Error.
528 ... vs. ...
The Continental Construction & Improvement Company. ... Deft. in Error.

Mr. William O. McKinney of counsel for the defendant in error having filed in open Court the following certificate, to wit:

"Circuit Court of the United States
For the Northern District of New York.

I, William A. Doolittle, Clerk of the Circuit Court of the United States for the Northern District of New York, do hereby certify that in a certain cause lately pending in said Court wherein Quincy A. Vivat as Administrator of the goods, chattels and credits of William L. Burt, deceased, was plaintiff and The Continental Construction and Improvement Company, was defendant, a final judgment was rendered by said Circuit Court on the fifth day of November, A.D. 1887, in favor of the said defendant, The Continental Construction and Improvement Company, and against the said plaintiff, and that on the 30th day of

January, A.D. 1886 said plaintiff, Henry D. Lucas, administrator, as aforesaid, sued out a writ of error to said Circuit Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of the said Circuit Court, at Utica, this 17th. day of Dec. A.D. 1889.

{ Seal }.

W. S. Doolittle
Clerk."

moved the Court to docket and dismiss this cause, pursuant to the 9th rule: and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Northern District of New York be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in ac-

Ordered to Law and further
per Hon. Chief Justice Waite.

James A. Hiscal Adm. &c. Du motion
1220 vs. Plff. in Error. of Mr. Will
The Continental Construction iam A. Mc.
& Improvement Company. Kennan of coun
sel for the de
fendant in error, leave is hereby granted
the Clerk to issue the mandate in this
cause.

The Mechanic & Traders S.B.Co. The Court
216 vs. Appellant. Purple, of
J. P. Lesure Treasurer &c. counsel for
the appellee,
submitted to the consideration of the Court
a motion to advance this cause, & leave
was granted counsel for the appellant to
file a printed brief in opposition thereto.

David K. Hall On motion of Mr. A. C.B
763 vs. Plff. in Error. Browne, in behalf of
Mary J. Lennon counsel, leave is here-
by granted the Clerk

to issued the mandate in this cause.

The First National Bank of Charlotte N. C. vs. Peff. in Error. E. A. Morgan. — On motion of Mr. W. E. Earle, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

50

The Pennsylvania R. R. Co. vs. Peff. in Error. P. H. Miller, Admr. etc. — On motion of Mr. E. O. G. Brady in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

36

The Pennsylvania Railroad Company. vs. Peff. in Error. Mary A. Mogee, Annie J. O'Callaghan, Frances O'Callaghan, Eugene O. G. Brady, Ella C. Brady & E. Josephine Brady. — In Error to the Supreme Court of the State of Pennsylvania.

761

This cause having been called to the attention

of the Court by Mr. E. O. G. Brady, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller

761 The Pennsylvania R. R. Co. vs. Mary A. Magee et al — Pff. in Error — On motion of Mr. E. O. G. Brady in behalf of counsel to issue

is hereby granted the Clerk to issue the mandate in this cause.

732 The Inland & Seaboard Coasting Company. vs. Francis A. Folsom — Pff. in Error — On motion to rescind the judgment entered in this cause on November 4th, 1889, to restore the case to the docket and for leave to amend the writ of error herein was submitted to the consideration of the Court on printed argu-

uments by Mr. Nathaniel Wilson in support of the same, and Mr. C. C. Cole and Mr. A. A. Birney, in opposition thereto.

William S. Lovell. ... The motions to dis-
215. vs. Appellant. miss or affirm in
George D. Cragin et al. this cause were
... submitted to the consideration of the Court on the record and printed arguments by Mr. J. D. Rouse and Mr. William Grant, in support of the same and Mr. Joseph P. Stowell by Mr. W. Hallett Phillips in opposition thereto.

The Hayward Furnace Co ... The motions to
1375. vs. Appellant. dismiss or af-
James P. Witherow. firm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Wayne MacVeagh and Mr. H. B. Pomphrey in support of the same, and Mr. Thomas S. Southac and Mr. Richard W. Walker in opposition thereto.

288 The Ohio Central Railroad Co. vs. The Central Trust Company of New York. Appellant.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr H.L. Terrell and Mr. Ashbel Green, of counsel for the appellant, and Mr. Stevenson Burke, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday January 6th 1890 at twelve o'clock

Monday January 6th 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

The Honorable David J. Brewer appeared and produced the following letters Patent and oath of office which were read in open Court, and ordered to be recorded upon the minutes, in the following words, viz:

Benjamin Harrison.
President of the United States of America.
To all who shall see These Presents Greeting:
Know Ye, That reposing special Trust and confidence in the Wisdom, Uprightness and

Learning of David J. Brewer of Kansas I have nominated, and by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining, unto Him the said David J. Brewer during his good behavior.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice hereunto affixed.

(Seal.)

Given under my hand at the City of Washington the 18th day of December in the year of Our Lord one thousand eight hundred and eighty-nine and of the Independence of the

United States of America
the one hundred and four-
teenth.

Benj. Harrison.

By the President:
W. H. H. Miller,
Attorney General

I, David J. Brewer, do solemnly swear
that I will support and defend the Constitu-
tion of the United States against all enemies
foreign and domestic: that I will be true
faith and allegiance to the same: that I
take this obligation freely without any men-
tal reservation or purpose of evasion: and
that I will well and faithfully discharge
the duties of the office on which I am about
to enter. So help me God.

David J. Brewer.

Subscribed and sworn to
before me this 26th day
of January A. D. 1890
Melville W. Fuller
Chief Justice of the United States

I, David J. Brewer, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.

David J. Brewer.

Subscribed and sworn to
before me this sixth day of
January, A.D. 1890.

James H. Mc. Kenney.
[Seal] Clerk Supreme Court U.S.

On motion first made to the Court in this behalf by the Attorney General it is ordered that Eugene A. Gilmore Esquire of Saint Paul Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn

accordingly.

On motion first made to the Court in the behalf by Mr. A. A. Carlton it is ordered that William L. Sykes, Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in the behalf by Mr. A. G. Brown it is ordered that George A. Knight, Esquire of San Francisco, State of California and Robert Andrew Esquire of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

155 | Julius M. Graves. | Appeal from the Circuit
| to | Court of the United States
| Chester C. Corbin. | for the Northern District
| | of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, reversed, costs in this Court to be paid by The First National Bank of Chicago Illinois, the petitioner for removal; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to remand it to the Circuit Court of Cook County, Illinois.

per Mr. Justice Blatchford.

(Mr. Chief Justice Fuller did not sit in this case nor take any part in its decision)

780. The First National Bank of Chicago, Illinois ..... vs. ..... Appellant. Chester C. Corbin. ..... Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the appellant: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to remand it to the Circuit Court of Cook County, Illinois.

per Mr. Justice Blatchford.

(Mr. Chief Justice Fuller did not sit in this case nor take any part in its decision.)

William H. Robertson Collector of the Port of New York. vs. Charles O. Edelhoff & Emil Rinke.

170. Pltff. in Error. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by

counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Blatchford.

The Louisville & Nashville Railroad Company. vs. Lucinda Mangelin. Pltf. in Error

In Error to the Circuit Court of the United States for the Southern District of Illinois.

169

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, & the same is hereby affirmed with costs. per Mr. Justice Gray.

Benjamin H. Keyser, Receiver of the German American National Bank of Washington, D.C. — In Error to the Supreme Court of the District of Columbia.

42. vs. — Pff. in Error.

Jane C. Fitz.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to grant a new trial, and for further proceedings consistent with the opinion of this Court.

per Mr. Justice Harlan.

Dissenting.

Mr. Justice Miller.

David Richmond. In Error to the Cir-
171. vs. Pff. in Error. cuit Court of the
Marshall B. Blake, Collector United States for
of Internal Revenue for the the Southern Dis-
Second Collection District trict of New York.
of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Dissenting:

Mr. Justices Field & Miller.

Edward Avery, Administrator In Error to the
of Matthias Ellis, deceased, Circuit Court of
162. vs. Pff. in Error. the United States
William W. Clearn, Assignee for the District of
in bankruptcy of Matthias Ellis. Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial and for further proceedings consistent with the opinion of this Court.

per Mr. Justice Harlan.

160. William C. Cleary, Assignee in Bankruptcy of Matthias Ellis vs. The Ellis Foundry Company. In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On

consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

Thomas H. Miller et al
737 vs. Appellants.
The Texas & Pacific Railway Company et al

Martha R. Worrall et al.
867 vs. Appellants.
The Texas & Pacific Railway Company et al.

Appeals from the Circuit Court of the United States for the Northern District of Texas.

William Dunlap et al.
868 vs. Appellants.
The Texas & Pacific Railway Company et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas on separate appeals, and

was argued by counsel. On consideration whereof It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed, appellants to pay the costs of their respective appeals in this Court.

per Mr. Justice Bradley.

William D. Patrick Luman Robinson Thurber G. Stebbins, John Lowry, Jr. Samuel J. Glover, John J. Simmons, Joseph C. Whiting and D. J. Herbard ..... In Error to the Circuit Court of the United States for the District of Colorado.

152 ..... vs. ..... Pffs. in Error.

Charles H. Graham and Meyer Guggenheim

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this

cause be and the same is hereby affirmed with costs, and interest must paid at the same rate per annum that similar judgments bear in the Courts of the State of Colorado.

per Mr. Justice Miller.

148. Hepsie W. Clayton. Appellant vs. The People of the Territory of Utah et rel: William H. Dickson, U. S. Attorney. Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Miller.

James Jack
144 vs. Appellant.
The People of the Territory of Utah ex rel: William H. Dickson, U. S. Attorney.

Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Timothy Case, Trustee of the Green Bay & Minnesota Railroad Company.
5 vs. Appellants
Daniel W. Tilly, Henry Ketchum, George Sliss & The Arcadia Mineral Spring Company.

Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

(Mr. Chief Justice Fuller did not hear the argument of this cause or take any part in its decision).

312. William L. Lovell. vs. George O. Craguin. Appellant.

It is ordered by the Court, that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

The Inland & Seaboard Coasting Company.
552 vs. Pff. in Error
Francis A. Gibson.

On consideration of the motion to recall the judgment entered in this cause, on November 14th, 1889, to restore the cause to the docket, and for leave to amend the writ of error herein by inserting therein, as plaintiffs in error, the names of Henry D. Willard, John W. Thompson, Samuel Hosmer and J. H. Baxter, and of the arguments of counsel thereupon had, as well in support of as against the same,

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller

The Sheffield Furnace Co.
1975 vs. Appellant.
James P. Witherow.

On consideration of the motion to dismiss or affirm in this cause, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now here ordered

by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

459 Joseph Church and Charles G. Church vs. Jeffs. in Error. Helen M. Kelsey, Cyrenius Wise and Ann Wise, his wife, Lidney Phillips, Stevens, Letty Ann Ruland et al. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Isaac B. Betts.		In Error to the Su-
14574	vs. Pff. in Error.	preme Court of the
Jacob W. Swyssaath.		State of Pennsylvania

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Chase

The United States		Appeal from the
411.	vs. Appellants.	Court of Claims.
Jesse D. Carr.		

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims

is this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter judgment for the United States.

per Mr. Chief Justice Fuller.

Thomas Cunningham, Sheriff etc. vs. Appellant David Neagle. 1172. On motion of Mr. Attorney General Miller, It is ordered, by the Court that this cause be, and the same is hereby, assigned for argument on Monday, March 3d, next.

The People of the State of California vs. Plff in Error The San Pablo & Tulare Railroad Company. 1467. On motion of Mr. Samuel Shellabarger, of counsel for the plaintiff in error It is ordered by the Court that this cause be and the same is hereby, assigned for argument on Monday, March 3d, next.

1053. George S. Wanton, Plff. in Error vs. J. C. Hamilton, Deft. in do
1055. Joseph Bryan, " " The State of Virginia
1056. James P. Cooper, " " " " " " " " "
1057. John Mc. Galey, " " " " " " " " "
1058. H. W. Ellett, " " " " " " " " "
1117. H. Gilmer et. Sergeant &c. Appts. vs. Charles Brown.
1118. W. L. Brown, Sergeant &c. Appt. vs. William Lowry.
1143. C. H. Cuthbert, Plff. in Error. vs. The State of Virginia.
1216. Wm. J. Trueheart, Plff. in Error vs. John M. Whitney.
1217. Ex parte: In the matter of Lewis Brown, Appellant.

On motion of Mr. W. C. Royall, of counsel, It is ordered by the Court that these cases be, and they are hereby, assigned for argument on Monday, the 20th. instant after the cases heretofore assigned for that day.

304 John Munn, Trustee &c. vs. Hamilton G. Faut, Plff in Error.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Charles Wickham, Mr. John Howard, Mr. Henry Lee Garnett and Mr. Conway Robinson, Jr. of counsel for

the plaintiff in error, and Mr. W. G. Morris of counsel for the defendant in error.

Mr. Reginald Rendall submitted to the consideration of the Court a petition for leave to make an oral argument in this cause on behalf of parties interested in the questions involved herein.

Cornell University et al. vs. Pffs. in Error. Mr. George G. Edmunds, of
1224 Willard Giske et al. counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

Bernard B. Haus vs. Pff. in Error. On motion
4 The State of Louisiana, of Mr. S. F. Phillips, of
to counsel. It
The State of North Carolina et al. is ordered
392 vs. Appellants. by the Court
Alfred H. Temple. that these
cases be, and
they are hereby, assigned for argument on
Monday, January 27th, after the cases fixed

fore assigned for this day.

William D. Stuart
1495 vs. Appellant.
A. L. Boulware et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record & printed arguments by Mr. W. Hallett Phillips, in support of the same and Mr. John B. Minor and Mr. W. G. Morris in opposition thereto.

David T. Williamson.
219 vs. Appellant.
The Anacosta National Bank.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. G. P. Black and Mr. E. L. Livermore in support of the same.

David Speth.
196 vs. Appellant.
The Bluloid Manufacturing Company.

Mr. J. P. Hinton Jr. of counsel for the appellee suggested the death of David

Spill, the appellant in this cause, moved the Court for an order, under the 15th. rule, to make the proper representatives parties. Whereupon, It is now here ordered by the Court, that unless the proper representatives of the said Daniel Spill, deceased, as aforesaid, shall voluntarily become parties within the first few days of the ensuing term of this Court, the appellee shall be entitled to have this appeal dismissed: Provided, however, That a copy of this order shall be printed in some newspaper of general circulation within the State of New York, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

per Mr. Chief Justice Waite.

William Roemer. Appellant.
vs.
Thomas B. Peddle et al.

Mr. J. E. Hindon Hyde, of counsel for the appellee, submitted to the consideration of the Court a motion for an order as to the taxation of the cost of the return to the writ of certiorari issued herein.

120

The St. Paul, Minneapolis & Manitoba Railway Co. vs. Appellant. Ransom Phelps.

2447

Mr. H. J. May. in the absence of counsel submitted to the consideration of the Court a stipulation of counsel that this cause be assigned for argument immediately after case No 344 on the docket for the present Term.

Andrew Albright. vs. Appellant. The American Bell Telephone Company.

1534

Mr. Henry L. Munson of counsel for the appellee, having first in open Court, the following certificate, to wit:

"United States Circuit Court.
District of New Jersey.

American Bell Telephone Company vs Andrew Albright. } In Equity.

United States of America. } ss.
District of New Jersey.

I, J. O. Oliphant, Clerk of the Circuit Court of the United States for the District of New Jersey, do here-

to certify, that the above stated cause was heard before Judge Mc. Keenan on the twenty eighth of March, 1888 and an interlocutory decree was entered in favor of the complainant. That upon the filing of the Master's report, a final decree was entered October 17, 1887 for the sum of Four hundred and seventy-nine dollars and interest thereon from March 28, 1883, together with costs to be taxed.

That a petition of appeal to the Supreme Court of the United States was allowed and citation issued October, 27, 1887, returnable on the second Monday in October 1888, and the transcript of the record on appeal was sent up October 13, 1888.

In witness whereof, I here to set my hand and affix the seal of said Court at Trenton in said District this twenty-sixth day of December, A.D. 1889,

[Seal]

S. D. Oliphant
Clerk."

moved the Court to docket and dismiss

this cause pursuant to the 7th. rule; and it appearing to the Court that the appellant has failed to have this cause filed & docketed in conformity with the rules of this Court. It is now here ordered, adjudged & decreed by this Court that this appeal from the Circuit Court of the United States for the District of New Jersey, be, and the same is hereby, docketed and dismissed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Andrew Albright. Appellant.
1534 vs.
The American Bell Telephone Company.

On motion of Mr. H. L. Atwater, of counsel for the appellee leave is hereby granted the Clerk to issue the mandate in this cause.

Carl Pohl et al. Appellants.
1269 vs.
The Anchor Brewing Co.

Mr. W. C. Witter, of counsel, submitted to the consid-

eration of the Court the petition of H. H. Heyman that he be allowed to intervene as a party appellee in this cause, or that he be permitted through his counsel to be heard in oral argument, or that he may be permitted through his counsel to file a brief herein.

J. P. Clough, President etc.
1133 ..... vs. ..... Appellant.
E. J. Curtis, Secretary etc

And

H. J. Burkhart, Speaker etc.
1134 ..... vs. ..... Appellant.
C. H. Reed, Chief Clerk, etc.

On motion of Mr. J. M. Wilson of counsel, It is ordered by the Court that these cases be, and they are hereby, assigned for argument on Monday, January, 27th, after the cases heretofore assigned for that day.

Robert Turner et al.
1499 ..... vs. ..... Appellants.
Alfred A. K. Sawyer.

Mr. A. B. Browne, of counsel for the appellants, submitted to the consideration of the Court a motion to re-

rescind and annul the decree entered herein on the 1st. day of November, 1889. docketing and dismissing this appeal and for leave to file the transcript of record and docket the cause. Leave was granted counsel for the appellee to file a printed brief in opposition to said motion within two weeks.

David J. Kennedy.
1522. vs. Appellant.
George L. Bacon et al.

Mr. M. G. Norris of counsel for the appellant, submitted to the consideration of the Court a motion to rescind and annul the decree entered herein on the 9th. day of December, 1889. docketing and dismissing this appeal and for leave to file the transcript of record and docket the cause.

M. B. Buford et al.
711. vs. Appellants.
Henry E. Conant et al.

The cause was submitted to the consideration of the Court, pursuant to the 30th. rule on the record and printed arguments by Mr. M. Kirkpatrick, of counsel for the appellants, and Mr. S. L. Davis, of coun-

sel for the appellees.

John C. Depuytron
1151. vs. Pefs. in Error.
Rowena Young.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Walter J. Lamb, of counsel for the plaintiff in error, and Mr. John E. Dillon, Mr. Samuel Shellabarger and Mr. J. A. Webster, of counsel for the defendant in error.

C. H. Smith et al.
1164. vs. Pefs. in Error.
C. V. Lyon.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Jeff. Chandler, of counsel for the plaintiffs in error, and Mr. K. C. Foster, of counsel for the defendant in error.

Geo Lucy & Co.
1459 vs. Pefs. in Error.
A. J. Hardin.

This cause was submitted to the consideration of the

Court pursuant to the 20th. rule, on the record and printed arguments by Mr. James C. Carr, of counsel for the plaintiffs in error, and Mr. John G. Stone, Mr. W. B. Collins and Mr. H. Scott Howell, of counsel for the defendant in error.

Charles A. Gregory.
1514 vs. Appellant.
John G. Stetson.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule on the record and a printed argument by Mr. D. A. Brooks, of counsel for the appellant, and on the record by Mr. John G. Stetson, pro se.

Richard W. Montross and
Royal Morris.
186 vs. Appellants.
Charles W. Bullard, James A. Gormley and Charles O. Blackburn.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called for hearing in its regular order, and the authority of counsel for the appellants to dismiss this

cause having been filed, It is, therefore, in pursuance of said authority, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Leonard Mackall et al. vs. Appellants. Brooke Mackall Jr. et al

159. On motion of Mr. S. S. Henkle, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, passed subject to provisions of section 9, Rule 26.

James O. Crenshaw. vs. Appellant. The United States.

1081. This cause was argued by Mr. H. O. Claughton, of counsel for the appellant and Mr. Assistant Attorney General Maury, of counsel for the appellee.

William Milne, Executor etc. vs. Pff in Error. Ann Maria Deen.

1184. The argument of this cause was

commenced by Mr. E. C. Perkins, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, January, 7th. 1890

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John M. Wright. Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. D. Brown it is ordered that A. W. Scott Esquire of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James O. Broadhead it is or-

dered that John M. Wood, Esquire of Jefferson City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. A. Bancroft Davis it is ordered that Willard Parker Butler, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William Aspinwall
757. vs. Pff. in Error. This cause was submitted to the
Peter Butler, Recvr. etc. consideration of the Court, pursuant to the 24th. rule, on the record & printed arguments by Mr. Benjamin H. Johnson, of counsel for the plaintiff in error & by Mr. A. A. Ramey, of counsel for the defendant in error.

The Board of County Commissioners of the County of Comanche, Kansas.
822. vs. Pff. in Error. This cause was submitted to
Charles Edward Lewis the consid-

eration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. G. P. Clemens of counsel for the plaintiff in error, and Mr. W. H. Rossington, of counsel for the defendant in error.

Thomas J. Bryan. vs. W. W. Kales et al. 1287. This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. William A. McKenney, of counsel for the appellant, and Mr. William Pinkney Whyte, of counsel for the appellees.

William O. McKey. vs. The Village of Hyde Park. 1421. Pff. in Error. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. J. R. Doolittle of counsel for the plaintiff in error, and Mr. James H. Roberts of counsel for the defendant in error.

687. The Town of Elmwood vs. Pltf. in Error. Amos W. Dows. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called to the attention of the Court by Mr. Lyman Trumbull of counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

1184. William Miles, Executor etc. vs. Pltf. in Error. Ann Maria Dean. The argument of this cause was continued by Mr. Edward C. Perkins, of counsel for the plaintiff in error, and Mr. Erskine Carew, of counsel for the defendant in error, and concluded by Mr. Perkins, for the plaintiff in error.

173. J. H. DeWitt et al. vs. Pffs. in Error. Joseph H. Berry et al.

The argument of this cause was commenced by Mr. M. W. Tyler, of counsel for the plaintiffs in error, and continued by Mr. John E. Parsons, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, January, 8th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L.C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. G. Riddle it is ordered that Carrie Burnham Kilgore, of Philadelphia, — State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court & she was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. W. G. Morris it is ordered that George Mc. Hair, Esquire, of Minneapolis, in State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. John Dalzell it is ordered that Joseph Potter Sloane, Esquire, of Pittsburg, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Baltimore & Ohio Railroad Company,		Appeal from the Circuit Court of the United States for the District of West Virginia.
182.	vs. Appellant.	
The State of West Virginia.		

This cause having been called for hearing in its regular order, and Mr. Hoyt L. Bond, Jr. of counsel for the appellant, having moved the Court to dismiss this cause, It is therefore in pursuance of said

motion it is ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Stephen D. Mills. — Mr. W. B. Chandler in behalf of counsel for the plaintiff in error submitted to the consideration of the Court a motion for leave to file an additional printed brief in this cause.

161. vs. Pff in Error.

W. L. Allen, Admr. etc.

The United States. — This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Assistant Attorney General Maury, of counsel for the appellant, and Mr. A. T. Britton and Mr. A. B. Browne, of counsel for the appellees.

288. vs. Appellant.

John Hancock et al.

101. Eugene Eilenbecker et al. vs. Plffs. in Error. The District Court of Plymouth County, Iowa. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. William A. McKinny, of counsel for the plaintiffs in error, and Mr. I. L. Struble and Mr. A. J. Baker, of counsel for the defendant in error.

367. Geilinger & Blum et al. vs. Plffs. in Error. Oscar Phillippi, Sheriff, etc. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. E. H. Carver, Mr. B. F. Jones and Mr. E. B. Kruttschnitt, of counsel for the plaintiffs in error, and Mr. Thomas J. Lemmon and Mr. A. Goldthwaite, of counsel for the defendant in error.

369. Joseph Bamigan. vs. Plff. in Error. Charles Bard, Receiver, etc. This cause was submitted to the consideration of

the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. G. B. Doolittle, of counsel for the plaintiff in error, and Mr. Jeremiah Haisy, of counsel for the defendant in error.

The City & County of San Francisco.
1506. vs. Pff. in Error.
Andrew J. Stull et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. John L. Love, Mr. George Flournoy and Mr. J. C. Wilson, of counsel for the plaintiff in error, and Mr. Thomas D. Riordan, of counsel for the defendants in error.

J. H. De Witt et al.
175 vs. Pffs in Error.
Joseph H. Berry et al.

The argument of this cause was continued by Mr. John B. Hanson, of counsel for the defendants in error, and concluded by Mr. W. W. Foster, of counsel for the plaintiffs in error.

Wednesday, January 8th 1890. Continued.

The Chicago Milwaukee & St. Paul Railway Co.
174 vs. Appellant.
The Third National Bank of Chicago.

This cause was argued by Mr E. Walker, of counsel for the appellant & Mr. J. H. Thompson and Mr. Huntington W. Jackson, of counsel for the appellee.

Henry W. Kingsbury.
176 vs. Appellant.
Simon B. Buckner et al.

The argument of this cause was commenced by Mr. Lyman Trumbull, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday, January, 9th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. O. B. Henderson it is ordered that F. B. Snyder, Esquire, of Burlington, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. W. B. Gordy it is ordered that Augustus S. Miller, Esquire, of Providence State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Clapp it is ordered that John W. Marlin, Esquire, of Ada, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Alexander W. Kenaday.
1236 ..... vs. ..... Appellant.
Susan W. Edwards et al

and

James B. Green, Trustee.
1237 ..... vs. ..... Appellant.
Susan W. Edwards et al.

These cases were submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. Calderon Carlisle and Mr George G. Appleby of counsel for Kenaday: Mr. H. C. Claughton and Mr B. G. Lee, of

counsel for Drew, Trustee, and Mr. Henry Wise Garnett and Mr. Leigh Robinson, of counsel for the appellees.

887. The Farmers Loan & Trust Company, Trustee, et al. vs. Appellants. The City of Galesburg, Illinois. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. H. B. Turner, Mr. David McClure and Mr. Arthur Ryerson, of counsel for the appellants, and Mr. Frederick A. Willoughby of counsel for the appellee.

1370 Sebastian Gielsau, Assignee etc. vs. Appellant. The Manufacturers National Bank of Chicago et al. This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. F. A. McConaughy, of counsel for the appellant, and Mr. Henry G. Miller, of counsel for the appellees.

176 Henry W. Kingsbury. vs. Appellant. Simon B. Buckner et al.

The argument of this cause was continued by Mr. W. C. Goudy, of counsel for the appellee, and concluded by Mr. John P. Wilson, of counsel for the appellant.

179 Hamilton Crosby et al. vs. Plffs. in Error. William B. Webb et al.

The argument of this cause was commenced by Mr. W. G. Johnson, of counsel for the plaintiffs in error, and continued by Mr. Enoch Totten of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday January 10th 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.

John M. Wright. Esquire. Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. C. Goudy it is ordered that William J. Townsend, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. F. Manderson, it is

ordered that Charles J. Green, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. E. Mc. Donald it is ordered that Alpheus H. Snow, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. E. Capp it is ordered that Simon C. Brown, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

The State of Minnesota. vs. Appellant. Henry E. Barber. 3446.

On motion of Mr. J. E. Mc. Donald, It is ordered by the Court that

counsel for the State of Indiana be allowed one-half hour in the oral argument of this cause: and on motion of Mr. James C. Broadhead, leave is granted him to file a printed argument herein on behalf of the State of Missouri.

762. The Chicago, Milwaukee and St. Paul Railway Company. vs. Pfg. in Error. The State of Minnesota: ex rel The Railroad and Warehouse Commission of Minnesota.

And

1113. The Minneapolis Eastern Railway Company. vs. Pfg. in Error. The State of Minnesota: ex rel. The Railroad & Warehouse Commission of Minnesota.

On motion of Mr. John W. Cary, of counsel for the plaintiff in error in case No. 762; It is ordered by the Court that these cases be argued as one case and that counsel for the plaintiffs in error be allowed five hours and counsel for the defendant in error two hours for the argument.

Knox County, in the State of Missouri.
1212 vs. Appellant.
George W. Harshman.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. James Barr, of counsel for the appellant, and Mr. D. K. Skinker, of counsel for the appellee.

Emil Bosch et al.
1408. vs. Appellants.
Albert Graaf et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. J. J. Scrivner, of counsel for the appellants, and Mr. John H. Miller and Mr. J. P. Langhorne, of counsel for the appellees.

Carl Pohl et al.
1269. vs. Appellants.
The Anchor Brewing Co.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and

printed arguments by Mr. J. M. Read, Mr. H. F. Lowry, Mr. B. D. Thurston, Mr. Noah Davis and Mr. G. A. Seward, of counsel for the appellants, and Mr. William J. Brumond of counsel for the appellee.

Lewis Wallace.
vs. Appeal
The United States.

855. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. George A. King, of counsel for the appellant, and Mr. Assistant Attorney General Cotton of counsel for the appellee.

In parte: In the matter of
The Louisville Underwriters
of Louisville, Kentucky.
Petitioners
And
In parte: In the matter of The
St. Paul Fire & Marine Insurance Co. of St. Paul, Minnesota.
Petitioner

Mr. J. A. Rockwell of counsel for the petitioners submitted to the consideration of the Court motions for leave to file petitions for writs of prohibition.

1123 Harlow L. Street
vs. Appellant.
The United States

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. J. W. Yale, of counsel for the appellant, and Mr. Assistant Attorney General Cotton, and Mr. G. P. Davies, of counsel for the appellee.

1014. R. S. Searl
vs. Pff. in Error.
School District No. 2 in the County of Lake.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Sam P. Rose and Mr. Frank W. Davis of counsel for the plaintiff in error, and Mr. C. S. Thomas of counsel for the defendant in error.

1195. The Louisville, New Orleans & Texas Railway Company.
vs. Pff. in Error
The State of Mississippi

This cause was submitted to the consideration of the

Court, pursuant to the 20th rule, on the record and a printed argument by Mr. W. P. Harris, of counsel for the plaintiff in error and on the record by Mr. E. M. Miller, of counsel for the defendant in error.

August F. Arata, Jr. et al
1150 vs. Peffs. in Error.
Nathan H. Griggs.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Walter S. Lamb, of counsel for the plaintiffs in error, and Mr. Nathan H. Griggs, of counsel for the defendant in error

The City of New Orleans et al
1525 vs. Peff. in Error.
The New Orleans Water Works Co.
and
Edward Conery Jr. et al
1526 vs. Peffs. in Error.
The New Orleans Water Works Co. et al.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the record and printed arguments by Mr. J. R. Beckwith and Mr.

Mr. A. Breaux in support of the cause, and Mr. Carleton Hunt, in opposition thereto, in No. 1525 and leave was granted Mr. E. A. Parran of counsel for the plaintiffs in error in No. 1536 to file a printed brief in opposition to said motions on or before March, 1st, next.

179. Hamilton Ormsby et al vs. Pepp in Error. William B. Webb et al. The argument of this cause was continued by Mr. Enoch Totten, of counsel for the defendants in error, and concluded by Mr. J. J. Johnson, of counsel for the plaintiffs in error.

184. The Toledo, Delphos & Burlington Railroad Co. et al. vs. Appellants Thomas H. Hamilton. The argument of this cause was commenced by Mr. John M. Butler, of counsel for the appellants, continued by Mr. T. M. Scott, of counsel for the appellee, and concluded by Mr. Robert G. Ingersoll, of counsel for the appellants.

Charles H. Wight.

1521. v. Appellant.

Joseph H. Nicholson, Supt. etc.

This cause was argued by Mr. Henry M. Duffield, of counsel for the appellant and submitted on a printed argument by Mr. Solicitor General Chapman, of counsel for the appellee.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Monday, January 13th. 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James Carr it is ordered that Robert E. Mitchell, Esquire, of Macon City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. George E. Edmunds it is ordered that A. L. Vanderpool and Eugene Berry Gardner, Esquires of New York City be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Blair it is ordered that Harry Seibrand, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Faulkner it is ordered that David E. Westenhaver, Esquire, of Martinsburg, State of West Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Henry Alvin Garnett, it is ordered that Walter V. R. Berry Esquire of Washington, District of Columbia, be admitted to practice as an attorney and coun

sellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Mc. Kenney, it is ordered that Finley Burke, Esquire, of Council Bluffs, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Henry it is ordered that John F. Wood, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

William T. Washburn and Emma Richardson, Execut'rs & Executrix of Benjamin Richardson, deceased, & Henry Day. vs. Appellants. Asahel Grow and William Bond, as Trustees et al.

Appeal from the Circuit Court of the United States for the Western District of Michigan.

19

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

Thomas M. Nelson et al.
947 of O.C. 1888 ——— vs ——— Appellants
Ashbel Green & Wm. Bard, Trustees et al.

And

Thomas M. Nelson.
1027 of O.C. 1888 ——— vs ——— Appellant.
Ashbel Green & Wm. Bard, Trustees et al.

On consideration of the motion filed at the last Term of this Court for an order directing the Clerk to refund to Thomas M. Nelson the sum of $1450, deposited by him pursuant to the order of this Court entered herein on the 11th day of January, 1889,

It is now here ordered by the Court that said motion be, and the same is

Hereby, granted to the writ of $2.00
per Mr. Justice Lamar

Samuel Hill, Benjamin S
Prentice & The Vermont
Farm Machine Company.
10. ... vs. Appellants
Daniel B. Wooster

Appeal from the
Circuit Court of
the United States
for the District
of Vermont.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Vermont, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, That the decree of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill, with costs.

per Mr. Justice Blatchford.

Thomas H. Mason, William Hart Smith and Sullivan Ballou.

vs.

The Penobscot Mining Company, Johnson Vivian et al.

And

The Penobscot Mining Company, Johnson Vivian, Henry Billings, Thomas H. Perkins, Alden S. Patrick, Daniel L. Dennison et al.

vs.

Thomas H. Mason, William Hart Smith et al.

1668.

2140

Appeals from the Circuit Court of the United States for the Western District of Michigan.

Appellants.

Appellants.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, on appeal and cross appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, so far as the same adjudges that the defendant directors of The Penobscot Mining Co. are not liable to pay to complainants and

the Stockholders any money received by them since the expiration of the charter of the Peoria Mining Company April 1st 1888. also for money received or expended by them in carrying on the business of said Peoria Mining Company or otherwise after the expiration of said charter, and so far as the same denies an accounting by the said defendant directors as to such expenditures made by them after the expiration of the charter be, and the same is hereby, reversed. In all other respects the decree is affirmed, the costs in this Court to be paid by the defendants in the Court below. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enforce its decree as to the sale of the property. to appoint a master to take an accounting, and to inquire and report as to the action of the directors after the expiration of the charter, and to take such further proceedings as shall not be inconsistent with the opinion of this Court.

per Mr. Justice Miller.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this case).

150. William Roemer vs. Thomas B. Peddie et al. Appellants. On consideration of the motion for an order as to the taxation of costs of the return to the writ of certiorari issued herein, It is now here ordered by the Court that the amount paid by the appellee as fees for certifying the said return be taxed against the appellants as part of the costs in the Circuit Court of the United States for the Southern District of New York.

per Mr. Chief Justice Fuller

161. Stephen C. Mills vs. Wm. Gilmore & L. Allen, Admr. &c. Plff. in Error. On consideration of the motion for leave to counsel for the plaintiff in error to file a brief in reply herein, It is now here ordered by the Court that said motion be, & the same is hereby, denied.

per Mr. Chief Justice Fuller

David C. Whittemore ... On consider-
319. ... vs. ... Appellant. ation of the mot-
The Muskegon National ion to dismiss
Bank. ... in this cause
and of the ar-
guments of counsel in support of the same,
It is now here ordered by the Court that
said motion be, and the same is hereby,
dismissed.

per Mr. Chief Justice Fuller.

The St. Paul, Minneapolis On consideration
& Manitoba Railway Co. of the stipulat-
347. ... vs. ... Appellant. ion of counsel
Dawson Phelps. that this cause
be assigned for
argument immediately after case No. 3444
on the docket for the present term, the
cause shown for passing the case being
deemed sufficient. It is now here ordered
by the Court that this case be, and the
same is hereby, passed until No. 3444 is
reached in the regular call of the dock
et for argument.

per Mr. Chief Justice Fuller

John Stone, Trustee etc. vs. Pff. in Error Hamilton C. Ford

367

It is ordered by the Court that the submission of this case be, and the same is hereby, set aside, and the case restored to the docket for oral argument.

It is further ordered by the Court that the further consideration of the petition of Mr. Reginald Rendall for leave to make an oral argument in this case on behalf of parties interested in the question involved herein be, and the same is hereby, postponed until the case is reached in regular order.

per Mr. Chief Justice Fuller.

The Atlantic & Pacific Railroad Company vs. Appellant J. P. Lesueur, Treasurer etc.

1215

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Cornell University et al.		On consider-
1224	vs.	Plffs. in Error	ation of the
Willard Fiske et al.		motion to ad-
		vance this cause

It is now here ordered by the Court, that said motion be and the same is hereby granted, and the cause assigned for argument on the first Monday of April next.

per Mr. Chief Justice Fuller.

Carl Pohl et al.		On consideration
269	vs.	Appellants.	of the petition of
The Anchor Brewing Co.		H. H. Heyman to
		be allowed to in-

tervene as a party appellee in this cause, or that he be permitted through his counsel to be heard in oral argument, or that he be permitted through his counsel to file a brief herein. It is now here ordered by the Court that leave be, and the same is hereby, granted counsel for said Heyman to file printed briefs herein on or before the 27th. instant, and that counsel for appellant be allowed two weeks

thereafter within which to file a brief in reply.

Mr. Chief Justice Fuller.

1522 David J. Hennessy, Appellant. vs. George C. Bacon et al.

On consideration of the motion to rescind & annul the decree entered herein on the 7th. day of December, 1889, docketing and dismissing this appeal, and for leave to file the transcript of the record, and docket the case, It is now here ordered by the Court that said motion be, and the same is hereby, granted on payment of costs and upon the further condition that the case be submitted on printed briefs on or before the 1st. day of the next Term.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Louisville Underwriters. Petitioners.

and

Ex parte: In the matter of The St. Paul Fire & Marine Insurance Company Petitioner.

On consideration of the motions for leave to file petitions for writs of prohibition, and of the arguments

of counsel in support of the same, It is now here ordered by the Court that said motions be, and the same are hereby granted.

per Mr. Chief Justice Fuller

Ex parte: In the matter of The Louisville Underwriters, of Louisville, Kentucky. (Petitioners) } On petition for a writ of prohibition

On consideration of the petition of the Louisville Underwriters, of Louisville, Kentucky, It is now here ordered by the Court that cause be shown by the Judge of the District Court of the United States in and for the Eastern District of Louisiana before this Court on Monday the 3d. day of March, 1890. at twelve o'clock, or as soon there after as counsel can be heard, why a writ of prohibition should not issue as prayed in said petition

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The St. Paul Fire & Marine Insurance Company of St. Paul, Minnesota.	On petition for a writ of prohibition.

Petitioner.

On consideration of the petition of The St. Paul Fire & Marine Insurance Company, of St. Paul, Minnesota, It is now here ordered by the Court that cause be shown by the Judge of the District Court of the United States in and for the Eastern District of Louisiana before this Court on Monday the 3d. day of March, 1879 at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard why a writ of prohibition should not issue as prayed in said petition.

per Mr. Chief Justice Waite.

John H. Mendenhall		It is ordered by the
158.	vs. Appellant.	Court that a citation to Charles G.
Clark & Hall.		Hall, or, if deceased, to his representatives, returnable on Monday

March 24th. 1879. issue to take sub and

served. It is further ordered that if said citation is not applied for within thirty days the case will be dismissed.

per Mr. Chief Justice Fuller.

William Wilson, as Executor of the last will and testament of William W. Wilson, deceased.		In Error to the Circuit Court of the United States for the Southern District of New York.
(1844)	vs. Pltff. in Error.	
Ann Maria Dean.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

The State of Louisiana ex rel:
The New York Guaranty and
Indemnity Company.
140 vs Pff. in Error
Oliver B. Stitt, Auditor etc.

On motion of Mr. William Allen Butler, of counsel for the plaintiff in error. It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday the 20th instant after No. 392.

James Coyne
8. vs Pff. in Error
The Union Pacific Railway Co.
The Quebec Steamship Co.
30 vs Pff. in Error.
Barbara Merchant.
And
The Baltimore & Ohio R.R. Co
38 vs Pff in Error.
William Sutherland.

On motion of Mr. William Allen Butler of counsel for the plaintiff in error in No. 30. It is ordered by the Court that these cases be, & they are hereby, assigned for argument on Monday the 20th instant, after No. 140.

Jared E. Redfield
271 vs. Pff. in Error.
William P. Parks et al.

On motion of Mr. Harry Hubbard, in behalf of counsel for the plaintiff in error, It is now here ordered by the Court that the judgment entered herein by this Court on the 18th. day of November, 1889 be entered nunc pro tunc as of the 14th day of October, 1889.

And it is further ordered by this Court that the judgment ordered by it to be entered by the Circuit Court for the plaintiff shall be by it so entered as of the term at which said action was tried

per Mr. Chief Justice Fuller.

274 The County of Lincoln, Pff. in Error vs. Luther Luming
1275 " " " " " " " " " " " Charles Lutro
1276 " " " " " " " " " " " C. D. Vincent

These cases were submitted to the consideration of the Court on the records and printed argument, pursuant to the 20th. rule, by Mr. H. G. Barlow of counsel for the plaintiff in error.

1185	Jerome B. Manning. vs. Plff. in Error. Asa French.	The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record & printed arguments by Mr. Charles Riordon Russell Jr. in support of the same, and Mr. Charles Lowry, in opposition thereto.
1186	The Ottawa, Oswego & Fox River Valley Railroad Co. vs. Appellant. O. Wason.	The motion to advance this cause, and assign the same for argument with cases Nos. 554 and 555 on the docket for the present term, was submitted to the consideration of the Court by Mr. P. F. Mc. Cullough and Mr. T. A. Saunders, in suppot of the same and Mr. John J. Herrick, in opposition thereto.
1152	The Louisville & Nashville Railroad Company. vs. Plff. in Error. Jacob P. Medway.	In Error to the Circuit Court of the United States for the Southern District of New York

This cause having been called to the attention of the Court by Mr. James Lowndes, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of the said Stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller.

The Louisville & Nashville Railroad Company.
vs. Pff in Error
Jacob P. Medley
462

On motion of Mr. James Lowndes in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

Adam G. Adams Trustee
vs. Pff. in Error.
James P. Conner, Adm. et al.
952

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. S. Watson of counsel for the plaintiff in error, and

Mr. Milton Hums of counsel for the defendants in error.

1110 David Armstrong Receiver etc. vs. The American Exchange National Bank of Chicago. Appellant.

and

1111. David Armstrong, Receiver etc. vs. The American Exchange National Bank of Chicago. Appellant.

These cases were submitted to the consideration of the Court pursuant to the 20th. rule, on the records and printed arguments by Mr. J. W. Herron, of counsel for the appellant, & Mr. W. H. Sumpf & Mr. C. B. Matthews, of counsel for the appellee.

1381. Paul Louis Barthe et al. vs. Arthur Davis, Executor etc. Pltfs. in Error.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record & printed arguments by Mr. Alexander Porter Morse, of counsel for the plaintiffs in error, and Mr. Henry Chapelle, of counsel for the defendants in error.

Thomas Jeffris
1539 vs. Appellant
The East Omaha Land Co.

This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. Timothy Burke, of counsel for the appellant, and Mr. C. J. Greene and Mr. J. W. Woolworth, of counsel for the appellee.

The Chicago, Milwaukee & St. Paul Railway Company.
762 vs. Plff. in Error.
The State of Minnesota ex rel: The Railroad & Warehouse Commission of the State of Minnesota.

and

The Minneapolis Eastern Ry. Co.
1113. vs. Plff. in Error.
The State of Minnesota ex rel: The Railroad & Warehouse Commission of the State of Minnesota.

The argument of these cases was commenced by Mr. John W. Cary, of counsel for the plaintiff in error in No. 762 & continued by Mr. J. H. Stowe, of counsel for the plaintiff in error in No. 1113.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, January 11th. 1887.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

762. The Chicago, Milwaukee and St. Paul Railway Company, Plff. in Error, vs. The State of Minnesota ex rel: The Railroad and Warehouse Commission of the State of Minnesota. And

The argument of these cases was continued by Mr. W. H. Norris of counsel for the plaintiff in error in No. 1115 and

	The Minneapolis Eastern Ry. Co	Mr. Moses
1113	vs. Pff. in Error	E. Clapp of
	The State of Minnesota: ex rel:	counsel for
	The Railroad & Warehouse Com-	the defendant
	mission of the State of Minnesota	in error, &
		concluded by

Mr. W. C. Goudy, of counsel for the plaintiff in error

	The State of Minnesota.	The argument of
346	vs. Appellant.	this cause was
	Henry E. Barber.	commenced by
		Mr. Gordon E.

Cole of counsel for the appellant

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock

Wednesday, January 15th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan, Associate
Horace Gray, Justices
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. D. Conger it is ordered that Edward W. Pendleton, Esquire of Detroit, State of Michigan be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

today by Mr. W. B. Clapp it is ordered that O. O. Knappen Esquire of Minneapolis, State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1946 The State of Illinois vs. Appellant. Henry E. Barber.

The argument of this cause was continued by Mr. Gordon E. Cole of counsel for the appellant, and Mr. W. H. Faubion and Mr. W. D. Gandy of counsel for the appellee and concluded by Mr. Septimus H. Snow, for the State of Indiana, by leave of the Court.

6. Ex parte: In the matter of James J. Medley. Original ——— Petitioner

Ex parte. In the matter of James H. Savage Original ——— Petitioner

These cases were argued by Mr. W. V. R. Berry and Mr. Henry Wise Garnett of counsel for the petitioners and submitted on a printed ar-

gument by Mr. A. M. Keller of counsel for the respondent.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday, January, 16th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph Stuppen it is ordered that Edward C Eliot Esquire of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Amelia A. Gmuttner et al. Executors etc.
1367. vs. Piffs. in Error.
The Liverpool & London and Globe Insurance Company

The cause was argued by Mr. C. Bainbridge Smith, of counsel for the plaintiffs in error, and Mr. William Allen Butler, of counsel for the defendant in error.

S. Granville Beals.
111. vs. Appellant.
The Illinois, Missouri & Texas Railroad Co. et al.

The argument of this cause was commenced by Mr. A. G. Vanderpoel, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

Friday, January 17th, 1890

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. E. Payson it is ordered that P. B. Kilgore, Esquire, of Wills Point, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. D. Barrett it is ordered

that Thomas K. Wilson, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

111 | H. Granville Beals, Appellant. vs. The Illinois, Missouri and Texas Railroad Co. et al. | The argument of this cause was concluded by Mr. George O. Reynolds of counsel for the appellees.

1112 | The United States vs. John L. Worty. | These cases were argued by Mr. John L. Worty, in propria persona, and Mr. Assistant Attorney General Maury of counsel for the United States.

1120 | John L. Worty vs. The United States. | And

615 The County Court of Macon County et al ... vs. ... Pffs. in Error. The United States ex rel: Alfred Heidekoper.

The argument of this cause was commenced by Mr. James Carr of Counsel for the plaintiffs in error and continued by Mr. Joseph Stuppen of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, January 20th 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Joseph P. Bradley,
John M. Harlan, Associate
Samuel Blatchford, Justices
Horace Gray,
Lucius Q. C. Lamar,
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Leroy F. Youmans it is ordered that Alex. C. King, Esquire of Atlanta, State of Georgia, and James F. Carey, Esquire of Pickens, State of South Carolina, be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Joseph R. Reed it is ordered that G.R. Wacker, Esquire, of Norwalk, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. A. Ayers it is ordered that Robert Taylor Scott, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington, it is ordered that Rufus M. Williams, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Theodore F. Davidson it is ordered that Andrew Fiske, Esquire, of Boston, State of Massachusetts, and Fitzgerald A Hudson, Esquire, of Asheville, State

of North Carolina, be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

Henry E. Schrader, Assignee of The Capital Bank of Belleville, Illinois
1370 ..... vs. ..... Appellant.
The Manufacturers National Bank of Chicago et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, & was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

(Mr. Chief Justice Fuller having been of counsel in Richmond v. Irons took no part in the consideration or decision of this case.)

The United States.		In Error to the Cir-
167	vs.	cuit Court of the Uni-
Joseph Howell & Brown		ted States for the Dis
Berrington, Claimants etc.		trict of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Gray

The City & County of		In Error to the
San Francisco		Supreme Court
168	vs.	of the State of
Andrew J. Hosell et al.		California

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

The Illinois Central Railroad Company & The Chicago, St. Louis & New Orleans Railroad Company,

vs. Plffs. in Error.

Millard Bonworth & Charles A. Bonworth.

In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

77.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Cir-

cuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the defendants below, the now plaintiffs in error.

per Mr. Justice Bradley

(Mr. Justice Blatchford did not sit in this case or take any part in its decision)

The Ottawa, Osawpee & Ft. Riley Valley Railroad Co. vs. O. Mason. Appellant.

1445

On consideration of the motion to advance this case & assign same for argument with cases Nos. 554 and 555 on the docket for the present term, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

William A. Stuart,		Appeal from the Cir-
1495	vs.	Appellant. cuit Court of the Un-
A. L. Boutwire & Lyle		ited States for the
& Page.		District of W. Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Benjamin F. Peixe, Executor		In Error to
Ideal & Elizabeth A. Butler,		the Supreme
Executors of Charles S. Butler,		Judicial
deceased.		Court of the
74.	vs. Defts. in Error.	State of
Richard Cunningham & Henry		Massachu-
Norman, Junior, Assignee in In-		setts.
solvency of David B. Bird.		

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Chief Justice Fuller.

Dissenting.

Mr. Justice Miller
" " " Field.
" " " Harlan.

Mr. Justice Brewer not having been a member of the Court when this case was considered took no part in its decision).

The Ohio Central Rail-		Appeal from the
road Company.		Circuit Court of the
1288. ..... vs.	Appellant.	United States for
The Central Trust Com-		the Northern Dis-
pany of New York.		trict of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the deficiency decree of the said Circuit Court, of June, 22, 1887, in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed therein as may be just and equitable.

per Mr. Chief Justice Fuller.

The United Trust Company of New York et al.
vs. Appellants
71. Mrs. H. A. P. Bacon.

On motion of Mr. L. B. Houk, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

John Henry Trustee etc.
vs. Def. in Error
357. Hamilton L. Court.

Mr. Henry Wise Garnett of counsel for the plain-

Jeff. in error submitted to the consideration of the Court a motion to advance this cause

	The St. Paul, Minneapolis & Manitoba Railway Co.	Mr. F. H. Pinney, of counsel for the appellant submitted to the consideration of the Court a stipulation to pass these cases until No. 344 shall be reached.
245.	vs. Appellant	
	Charles W. Greenalgh et al.	
	&	
	The St. Paul, Minneapolis & Manitoba Railway Co.	
246	vs. Appellant.	
	Charles Wenzel.	

	Robert S. Hale	The motion to rescind the order entered herein on October 20th, 1887, dismissing and dismissing this cause, and for
1495	vs. Deff. in Error.	
	Gotlieb Scherer et al.	

leave to file the transcript of the record and docket the case was submitted to the consideration of the Court by Mr. Eppa Hunton, in suppot of the same and Mr. W. K. Wendenhall, in opposition thereto.

The Cherokee Nation.		Mr. J. B. McDonald
1664	vs. Appellant.	of counsel for the
The Southern Kansas Ry. Co.		appellant submit

ted to the consid-

eration of the Court a motion to advance this cause

Isabella Lee by her next		Mr. Joseph H. Earle
friends, Gideon Lee.		of counsel for the
1418.	vs. Appellant	appellee submitted
Richard W. Simpson.		to the consideral-

tion of the Court a motion to advance this cause or for leave to submit the cause on printed arguments.

Eben H. Horsford et al.		Mr. Theodore R.
1175.	vs. Appellants.	Davidson, of coun-
S. J. Gudger et al.		sel for the appel-

lants submitted to the consideration of the Court a stipulation to reverse the decree of the Circuit Court in this cause.

Andrew Albright. The motion to re-
1534 vs. Appellant. scind the order en-
The American Bell Tel- tered herein on Jan-
ephone Company. uary 6. 1890. dock-
eting and dismissing
this cause, and for leave to file the trans-
cript of the record and docket the case,
was submitted to the consideration of the
Court by Mr. J. C. Burton in support of the
same, and Mr. H. B. Brewster in opposition
thereto.

Cyrus Osborne. Mr. W. Willoughby, of
211 vs. Appellant. counsel, suggested the
John H. Olcott. death of Cyrus Osborne,
the appellant in this
cause, and moved the Court to make Seth
Osborne Administrator of the estate of the
said Cyrus Osborne, the party appellant here-
in; Whereupon, It is now here ordered by the
Court that the said Seth Osborne, Admin-
istrator of Cyrus Osborne, deceased, be, and
he is hereby, made the party appellant
herein.

Jesse B. Wilson, Receiver of J. H. Squier and Co		Appeal from the Supreme Court of the District of Columbia.
210	vs Appellant.	
T. A. Emmett et al.		

This cause having been called to the attention of the Court by Mr. W. Willoughby, of counsel for the appellant, and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The Bate Refrigerating Company.		In Error to the Circuit Court of the United States for the Southern District of New York.
80.	vs Def. in Error.	
Joseph Bartman.		

This cause having been called to the attention of the Court by Mr. Augustus H. Garland, on brief of counsel, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipu-

below, were here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller.

[redacted]

The Attorney General addressed the Court as follows:

May it please the Court:

A decree of nature as distressing as it was unexpected, makes it my duty to announce to the Court the death of the Solicitor General of the United States.

In the Sabbath quiet of yesterday morning, after an illness, painful, but until near the end, not believed to be fatal, Orlow W Chapman rested forever from earthly duty and earthly suffering.

The shock and the grief of this event are to-day, I am sure, too fresh and strong upon all of us to admit of fitting words of eulogy upon the character of this eminent lawyer and good man. Let that grateful duty await some future occasion. My mission this

morning is only to make this sad announcement and to ask the Court to take such action as may be due to the memory of our late associate and now departed brother.

The Chief Justice responded:

The Court receives the melancholy intelligence of the death of the Solicitor General, with profound regret.

There is a case now under argument and near its conclusion in which the counsel engaged are from a distant State. We feel compelled therefore to continue our session until the argument of that case is closed but will then adjourn as a mark of respect to the memory of the lamented deceased, and also in order to enable the members of the Court to attend the funeral in a body.

[redacted]

The County Court of Macon County et al. vs. Pipe in Error. The United States ex rel: Alfred Swidekofer. 615

The argument of this cause was continued by Mr. Joseph H. Hopkins of counsel for the

defendant in error, and concluded by Mr. James Parr, of counsel for the plaintiffs in error

187 Edward P. Penfield vs. Pff. in Error. The Chesapeake, Ohio & South-western Railroad Co. On motion of Mr. W. W. Mac. Ward, of counsel for the defendant in error. It is ordered by the Court that this cause be passed subject to the provisions of section 9 of Rule 26.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, January 31st, 1870.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph P. Reed it is ordered that Robert Ritow, Esquire, of New Haven, State of Conn. be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

4 Bernard B. Haus ... Pff. in Error. vs. The State of Louisiana. Mr. Alexander Porter Morse, of counsel for the defendant in error, by leave of the Court, submitted to the consideration of the Court an application for leave to file an affidavit of W. H. Rogers herein.

29 George L. Vaskau, Pff. in Error vs. J. C. Trenholm, Treasurer.
1055 Joseph Bryan ... " ... The State of Virginia
1056 James P. Cooper, " " " " " " " " " " "
1057 John Mc. Gahey, " " " " " " " " " " "
1058 H. W. Ellett. " " " " " " " " " " "
1142 C. K. Culbert " " " " " " " " " " "
1216 U. S. Trustee " " " " " John K. Culbertson
1217 Ex parte: In the matter of Louis Cromwell, Appellant.

The arguments of these cases was commenced by Mr. William L. Royall, of counsel for the plaintiffs in error and appellant, continued by Mr. Rufus A. Ayers and Mr. J. Randolph Tucker of counsel for the defendants in error, and concluded by Mr. O. H. Chambers, of counsel for the plaintiffs in error and appellant.

M. Fitzgerald Sergeant etc. Appellant
vs.
Charles Green.
and
W. L. Thomas, Sergeant etc. Appellant.
vs.
Wilson Lowry

1117

1118.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Rufus D. Ayers and Mr. J. Randolph Tucker of counsel for the appellants. No counsel appeared for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve O'clock

Wednesday, January, 22d. 1890.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Gray it is ordered that Jo. C. S. Blackburn, Esquire, of Versailles, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. C. B. Filgore it is ordered that D. J. Lowe, Esquire, of Guthrie Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Edward C. Kane. — On consideration
vs. Plff. in Error — of the motion for
The State of Louisiana. — leave to file an affidavit of W. H. Rogers in this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Joseph C. Warren, — Appeal from the Circuit
Sheriff etc. et al. — Court of the United States
vs. Appellants. — for the Eastern District
A. W. Henderson. — of North Carolina.

This cause having been called to the attention of the Court by Mr. R. H. Battle, of counsel for the appellants, and he having moved the Court to dismiss this cause, it is, therefore, in pursuance of said motion now here or-

dered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Bernard B. Haus. vs. Plff. in Error.
4. The State of Louisiana. This cause was argued by Mr. J. D. Rouse, of counsel for the plaintiff in error, and submitted on printed arguments by Mr. W. H. Rogers, Mr. B. J. Sage and Mr. Alexander Porter Morse, of counsel for the defendant in error.

The State of North Carolina et al. vs. Appellants.
392 Alfred A. Temple. The argument of this cause was commenced by Mr. A. H. Battle of counsel for the appellants, and continued by Mr. S. T. Phillips, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. C. Spooner it is ordered that Silas Foreman, Esquire of Portage-du-Sac, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. W. W. Warrow it is ordered that Henry C. Loomis, Esquire, of Seattle, State of Washington be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Idaho & Oregon Land Improvement Company. In Error to and Appeal from the
105 vs. Def. in Error & Appl. Supreme Court
W. T. Bradbury, & C. C. Rinehart, of the Territory
partners, under the firm name of Idaho.
of Bradbury & Rinehart.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed.

And upon the appeal it is further ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

The United States of America
3. Original ——— vs ——— Plaintiff
The State of North Carolina.

On motion of Mr. Theodore G. Davidson of counsel for the defendant, It is ordered by the Court that the cause be placed subject to the provisions of section 9, Rule 26.

John Irwin.
181. vs Eff. in Error.
The San Francisco Savings Union et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, and Mr. George A. Mourse, of counsel for the defendants in error.

The State of North Carolina et al.
392. vs. Appellants.
Alfred A. Temple.

The argument of this cause was continued by Mr. E. C. Andrews, of counsel for the appellee, and concluded by Mr. John W. Graham, of counsel for the appellants.

The State of Louisiana ex rel: The New York Guaranty and Indemnity Company.
140 vs. Pff. in Error.
Oliver B. Steele, Auditor of Public Accounts etc.

The argument of this cause was commenced by Mr Lew Stowe, of counsel for the plaintiff in error, continued by Mr. B. J. Sage, of counsel for the defendant in error, and concluded by Mr William Allen Butler of counsel for the plaintiff in error.

James Coyne.
8. vs. Pff. in Error.
The Union Pacific Railroad Co

The argument of this cause was commenced by Mr. John F. Dillon, of counsel for the defendant in error

Proclamation being made the Court is adjourned until to-morrow at twelve O'clock.

Friday, January, 24th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. W. Morrow it is ordered that Thomas J. Clunie and J. Deebeck, Esquires of San Francisco State of California be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

1274 The County of Lincoln, Plff. in Error vs. Nicholas Luning
1275 " " " " " " " " " " " Charles Sutro
276 " " " " " " " " " " " C. P. Truesdell

On motion of Mr. Thomas J. Clunie, leave is hereby granted counsel for the defendants in error in these cases to file a printed brief.

8. James Payne vs. Plff. in Error. The Union Pacific Railroad Co. The argument of this cause was concluded by Mr. John G. Dillon of counsel for the defendant in error, and the cause was submitted on a printed argument by Mr. E. P. Wells of counsel for the plaintiff in error.

30. The Quebec Steamship Co. vs. Plff. in Error. Barbara Merchant This cause was argued by Mr. William Allen Butler, of counsel for the plaintiff in error, & Mr. A. J. Rittenhouse of counsel for the defendant in error.

38. The Baltimore & Ohio C. R. Co. vs. Plff. in Error. William Sutherland. Ordered by the Court that this cause be pass

ed and assigned for argument immediately after Nos. 190 and 692.

145. Francis D. Palmer vs. Plff. in Error Martin B. Mac Mahon Receiver of Pass. R. R. Co. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William Hildreth Reid, of counsel for the plaintiff in error, and Mr. David J. Dean, of counsel for the defendant in error.

188. Josiah Bogg vs. Appellant De Witt C. Blair Trustee. — The argument of this cause was commenced by Mr. James Carr, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenny, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. G. B. Catchings it is ordered that Martin Marshall, Esquire, of Vicksburg, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. C. W. Horner it is ordered that Aug. Berman, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States vs. John Hancock et al. — Appellants. — Appeal from the Circuit Court of the United States for the Northern District of California.

No. 88.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brewer.

Mr. Justice Field took no part in the decision of this cause.

The Board of County Commissioners of the County of Comanche in the State of Kansas.		In Error to the Circuit Court of the United States for the District of Kansas.
1022	vs. Plff. in Error.	
Charles Edward Lewis.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Kansas.

per Mr. Justice Brewer.

The United States		Appeal from the
75	vs. Appellant.	Court of Claims.
Charles C. Waters.		

This cause came on to be heard on the

transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed. ..... per Mr. Justice Lamar.

887. The Farmers Loan & Trust Company, Trustee: Ephraim W. Bond, A. Dale Benson & Hardin Parrish ..... vs ..... The City of Galesburg, Illinois.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley

Lewis Wallace. Appeal from the
855. vs. Appellant. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed

per Mr. Justice Blatchford

Knox County, in the State of Missouri. Appeal from the Circuit
vs. Appellant. Court of the United States
1212 George W. Harshman. for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said

Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

William B. Christian et al. vs. The Atlantic & North Carolina Railroad Company et al. 416

Appeal from the Circuit Court of the United States for the Eastern District of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

The St. Paul, Minneapolis & Manitoba Railway Co. vs. Charles W. Greenaugh et al. 245.

Appellant.

On consideration of the stipulation to pass these cases un-

The St Paul, Minneapolis & Manitoba Railway Co. vs. Charles Wiegel. Appellant.

246

This No. 344 on the docket for the present Term is reached. It is now here ordered by the Court that these cases be, and they are hereby, passed until No. 344 shall be reached.

per Mr. Chief Justice Fuller.

John Henry Trustee etc. vs. Hamilton G. Gaut. Plff. in Error.

357

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday in March next.

per Mr. Chief Justice Fuller.

The Chicago Union Railway Company vs. The Southern Kansas Railway Company. Appellant.

344

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same

is hereby granted and the cause assigned for argument on the second Monday in March after the cases heretofore assigned for that day.

per Mr. Chief Justice Waite.

Edw. H. Horsford, Mary L. Horsford, Way K. Horsford et al. vs. J. J. Gudger, A. M. Gudger Penelope A. Stowe et al.

1175 Appellants

Appeal from the Circuit Court of the United States for the Western District of North Carolina.

This cause having been called to the attention of the Court by Mr. Theodore G. Davidson, of counsel for the appellants, and a stipulation to reverse the decree of the Circuit Court of the United States for the Western District of North Carolina having been filed, which stipulation is as follows, to wit:

"It is stipulated by and between the parties to this cause that the decree dismissing the bill of complaint filed herein, rendered in the Circuit Court for the Western District of North Carolina, shall be reversed and the cause remanded to said circuit

court, to the end that such further orders, decrees etc., may be made as shall be deemed necessary to carry into effect the agreement of compromise entered into by said parties since the rendition of the decree of dismissal — a duplicate whereof is hereto attached.

Andrew Fiske and
Theo. F. Davidson.
Attorneys for Complainants
H. A. Gudger
Attorney for Defendants."

"Supreme Court of the United States.
October Term 1889. In Equity.

Eben W. Horsford et al
vs.
Jackson J. Gudger et al } No. 1175

Appeal from the Circuit Court of the United States for the Western District of North Carolina, at Asheville.

The suit above entitled is compromised on the following terms — that is to say:

All sales of the lands described in the bill of complaint which had been made by the defendant, Jackson J. Gudger, prior to

the commencement of this suit — that is, prior to the 3d. day of April, 1866, whether said sales had been concluded by deeds or only contracts in writing to convey had been entered into and were then outstanding are hereby ratified and confirmed, and the purchasers shall be deemed to have acquired all the interest of the parties to this suit in the said lands: and said defendant Gudger shall have full power to convey by deed or deeds in his own name all such lands in fee as he had contracted in writing to convey prior to said day of April 1866, but neither of the parties to this suit except the defendant Gudger shall be bound by any covenant in deed heretofore made or hereafter to be made by the said defendant Gudger, whether the same be expressed or implied.

It is further agreed that said defendant Gudger in consideration of the payment by him of taxes on said lands prior to the commencement of this suit and of the fact that he was put to trouble and expense in protecting the lands from the encroachment of trespassers, shall be allowed to retain the proceeds

whether yet collected or not, of all the lands sold and conveyed by him or contracted in writing prior to said 3d day of April, 1886, to be conveyed by him.

It is further agreed that the lands described in the bill of complaint, both those in North Carolina and those in Tennessee, not sold or contracted in writing to be sold by the said defendant Ludger prior to the said 3d. day of April 1886, shall be owned and held by the parties to this suit in the proportions following, that is to say:

The complainant Eben N. Horsford, having acquired the interests of his co-complainants, shall have one undivided half interest therein: the defendant Jackson J. Ludger shall have one undivided fourth interest therein, and the other defendants shall have the remaining one undivided one-fourth interest therein, the latter to hold in the proportions in which they inherit from their ancestor, John Love, and all said parties to own their said respective interests as tenants in common.

And to the end that good titles may be

vested in the said parties to their said respective interests, it is agreed that such mutual deeds, releases and acquittances shall be executed by the parties, respectively, as they may be advised are necessary and proper; and all the parties agree to furnish any and all grants deeds and other muniments conveyances in their possession or control relating to the said lands that the same may be registered, in the proper counties: and the defendant Rudger agrees to co operate with his said co-tenants in trying to properly locate the lands aforesaid under this compromise, and to the extent that he may be able to do so, he will furnish a list of the parties to whom he had sold or contracted to sell lands prior to the said 3d. day of April. 1886.

And in order to carry this agreement into execution, it is further agreed that the circuit court of the United States for the Western District of North Carolina may by proper decrees, orders etc., made and filed in this cause, direct that actual partition of the said lands be made, or that they be sold at such times and places and upon such terms as to

it may seem just and proper by a commissioner or commissioners to be appointed therefor that purpose, and that the proceeds arising from such sales shall be paid to the said Edwin W. Stoneford, Jackson J. Rudger, and the other defendants, their respective relatives or assignees, after deducting the necessary expenses of such sales according to their respective interests therein, as hereinbefore declared, and that said court shall have jurisdiction to render any and all such orders, decrees and judgments as may be requisite for that purpose.

It is further agreed that the decree of the Circuit Court dismissing the bill of complaint shall be so modified as either to allow a final decree to be entered in the Supreme Court of the United States in accordance with this compromise or that the cause be remanded to the Circuit Court to the end that such final decree be entered in that Court or such further proceedings be had as will carry into effect the terms of this compromise.

The complainants and defendants in

spectively shall pay their own costs to be taxed by the Clerks of the Courts.

Andrew Giske.
Chas. P. Davidson.
For Complainants.
H. A. Gudger
for J. J. Gudger.
Chas. A. Moore,
P. A. Cummings,
for other defendants."

Therefore, in pursuance of said stipulation, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions that such further orders and decrees be entered as shall be deemed necessary to carry into effect the agreement of compromise entered into by said parties since the rendition of the decree of dismissal.

Per Mr. Chief Justice Fuller

Isabella Lee, by her next friend Gideon Lee. ..... Appellant.
1418 ..... vs. .....
Richard W. Simpson.

On consideration of the motion to advance this cause or that same may be submitted on printed arguments, It is now here ordered by the Court that this case be allowed to be submitted on printed briefs on or before the third Monday in March next.

per Mr. Chief Justice Fuller.

Robert S. Hale. ..... Pff. in Error.
1499 ..... vs. .....
Gottlieb Scherer et al.

On consideration of the motion to rescind the order entered herein on October 27th 1889, docketing and dismissing this cause and for leave to file the transcript of the record and docket the same, and of the arguments of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

Robert Turner et al.
1499. vs. Appellants.
Alfred D. H. Lawyer

On consideration of the motion to rescind the order entered herein on November 18, 1889, docketing and dismissing this cause, and for leave to file the transcript of the record and docket the cause, and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, granted, upon payment of costs.

per Mr. Chief Justice Fuller.

Andrew Albright.
1564. vs. Appellant.
The American Bell Telephone Company.

On consideration of the motion to rescind the order entered herein on January 6, 1890, docketing and dismissing this cause, and for leave to file the transcript of the record and docket the case, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Jerome G. Manning.		In Error to the Su
1188.	vs. Plff. in Error.	perior Court of the
Asa Gruen.		State of Massachusetts

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and on a motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

John Coulam, George Coulam,		Appeal from
Henry Coulam, Danny Baker,		the Supreme
Sarah J. Heimer & Jerre Snow.		Court of the
124.	vs. Appellants.	Territory of
Ann Doull.		Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was ar-

ques by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

957. William Osborn Walker, Plff. in Error. vs. Peter Butler, Receiver etc. On motion of Mr. U. M. Talbot of counsel for the plaintiff in error, leave is hereby granted him to file a printed brief herein, and leave is also granted Mr. A. A. Ramey, of counsel for the defendant in error to file a reply thereto.

6. Pullman's Palace Car Co., Plff. in Error vs. The Commonwealth of Pennsylvania. And

319. Pullman's Palace Car Co., Appellant vs. H. K. Hayward, Treasurer etc. On motion of Mr. S. F. Phillips, of counsel, It is ordered by the Court that these cases be, and they are hereby assigned for argument on Thursday,

March 3d, next, after the cases heretofore assigned for that day.

1497. The Bells Gap R.R. Co. Plff. in Error.
vs. The Commonwealth of Pennsylvania.

1498. The City of Chester, Plff. in Error
vs. The Commonwealth of Pennsylvania.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. W. I. Kirkpatrick, and Mr. J. G. Sanderson in support of the same, and Mr. James W. Ild Martin, in opposition thereto.

1502. The McCormick Harvesting Machine Company. vs. Deff. in Error. Charles H. Walthers.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. W. I. Harwood and Mr. C. H. Ames, in support of the same, and Mr. W. J. Tault, in opposition thereto.

Ezekiel Giles et al. vs. Plff. in Error. Samuel W. Little et al

1384

Mr. W. L. Harwood of counsel for the defendants in error submitted to the consideration of the Court a stipulation to advance this cause.

Francis Alexander et al. vs. Appellants. John Wachan et al.

1185.

On motion to strike out certain parts of the transcript of the record was submitted to the consideration of the Court on printed arguments by Mr. George A. Black in support of the same, and Mr. A. A. Chandler, in opposition thereto.

Ant. Miller. vs. Plff in Error. Bruce Sumner.

1050

Mr. John B. Black, in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

The Lucy and Co vs. Plff in Error. A. G. Hardie.

1159

Mr. John B. Black, in behalf of Blum & Co. Blum asked leave

to file a printed brief in this cause. Whereupon it was ordered by the Court that said application be denied

688. The United States. vs. John Hancock et al. Appellants. On motion of Mr. A. B. Browne, of counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in this cause.

113. The Rio Grande Railroad Co. vs. John B. Umsted, Executor etc. Pff. in Error. On motion of Mr. W. Hallett Phillips, in behalf of counsel leave is hereby granted the Clerk to issue the mandate in this cause.

189. Asahel Gage vs. Ellis Kaufman. Appellants. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Augustus H. Gage, of counsel for the appellants, and Mr. Edward Bray, of counsel for the appellees.

191 Morton Culver et al. vs. Eff. in Error. Gertrude Uthe. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Worden Culver, of counsel for the plaintiffs in error, and Mr. Harvey S. Hurd, of counsel for the defendant in error.

192 Michael Crowley. vs. Appellant. Alfred A. Clark. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Worden Culver of counsel for the appellant, and Mr. A. McBoy, Mr. B. C. McBoy and Mr. Charles B. Pope of counsel for the appellee.

188 Josiah Bogg. vs Appellant. De Witt C. Ellis Trustee. The argument of this cause was continued by Mr. Simon Carr, of counsel for the appellant, and Mr. Walter C. Larned, of counsel for the appellee, and concluded by Mr. Carr for the appellant.

	J. P. Clough, President etc.	The argument of
1133	vs. Appellant	these cases was
	B. J. Curtis, Secretary etc	commenced by
	And	Mr. Arthur Brown
	H. J. Burkhart, Speaker etc.	of counsel for the
1134	vs. Appellant.	appellants.
	B. H. Reed, Chief Clerk, etc.	

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, January 28th. 1890.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

The Chief Justice announced that the Court would adjourn on Monday, February 3d. and on Monday March 3d.

1497 The Wells Fargo Railroad Co. Piff. in Error.
v. The Commonwealth of Pennsylvania
1498 The City of Chester. Piff. in Error.
v. The Commonwealth of Pennsylvania.

On motion of Mr. Lemuel MacGeagh it is hereby granted him to file a printed brief on the motions in these cases.

196 Daniel Spelt
vs. Appellant.
The Celluloid Manufacturing Co

Ordered by the Court that this cause be, and the same is hereby, continued until the next Term.

1133 J. P. Boyle. President etc
vs. Appellant.
S. G. Curtis. Secretary etc.
Et al

Ordered by the Court that this cause be, and the same is hereby, continued until the next Term.

1134 R. G. Burkhart. Speaker etc.
vs. Appellant.
C. H. Reed. Cuy Clerk etc.

The argument of these cases was continued by Mr. Arthur Brown and Mr. Ly Mc-Lean Bruce of counsel for the appellants, and Mr. Thomas A. Banks of counsel for the appellees and concluded by Mr. Brown for the appellants.

190 Pullman Palace Car Co.
vs. Plff in Error.
The Central Transportation Co

The argument of these cases was commenced

Tuesday January 25th 1870. Continued.

692 The Central Transportation Co vs. Pac. R.R. Co. et al. and Cutting's Palace Car Co.

Pff. in Error.

Mr. S. S. Isham of counsel for Cutting's Palace Car Company.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Wednesday. January. 29th. 1890.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller
Stephen J. Field.
Joseph P. Bradley
John M. Harlan Associate
Horace Gray Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John M. Wright Esquire. Marshal
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that William Parkin. Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

213. John L. Lucas et al. Executors &c. vs. The Dunbrick Company et al. Appellants. Mr. O. A. Leonard of counsel for the appellants and Mr. Augustus L. Miller of counsel for the appellees, submitted to the consideration of the Court suggestions of diminution of the transcript of the record and motions for writs of certiorari in this cause. Whereupon, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded.

190 Pullman's Palace Car Co. vs. Peff in Error. The Central Transportation Co. And 622. The Central Transportation Co. vs. Peff in Error. Pullman's Palace Car Co. The argument of these cases was continued by Mr. E. S. Isham of counsel for Pullman's Palace Car Company, and Mr. John G. Johnson, of counsel for the Central Transportation Co. and concluded by Mr. Wayne MacVeagh of counsel for Pullman's Palace Car Co.

The Baltimore & Ohio Rail-road Company.		The argument of this cause was resumed
38.	vs. Pff. in Error.	by Mr. Hugh L. Bond
William Sutherland		Jr. of counsel for the pl'ntiff in error.

The Court declined to hear further argument.

The Baltimore & Ohio Rail-road Company.		In Error to the Circuit Court of the United
38.	vs. Pff. in Error.	States for the Northern
William Sutherland.		District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed, costs in this Court to be paid by the plaintiff in error; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to remand the cause to the State Court

for Mr. Chief Justice Fuller

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, January 30th. 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Evarts it is ordered that Horatio C. Ruiz. Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this

behalf by Mr. Portland Parker it is ordered that James A. English, Esquire, of Elizabeth, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Suburban Rapid Transit Company		Appeal from the Circuit Court of the United States for the District of Massachusetts.
203.	vs. Appellant.	
Charles W. Copeland.		

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Edward C. Penfield		This cause was
185.	vs. Off in Error.	argued by Mr.
The Chesapeake, Ohio & South-Western Railroad Co.		S. M. Williams, of counsel for

the plaintiff in error, and Mr. B. D. Gracy of counsel for the defendant in error.

193. F. J. Mc Murray et al. vs. Appellants. Charles Moran et al.

This cause was argued by Mr. Horatio C. King, of counsel for the appellants and Mr. Wheeler H. Peckham, of counsel for the appellees.

194. Henry L. Little, Receiver etc vs. Pff. in Error. Samuel O. Bower, Comptroller etc.

This cause was argued by Mr. R. W. De Forest of counsel for the plaintiff in error. No counsel appeared for the defendant in error but at the suggestion of Mr. De Forest leave was granted counsel for the defendant in error to file a printed brief on or before February 6th. next if they desire to do so.

195. The Inhabitants of the Township of Bernards. vs. Pffs. in Error. Thomas H. Morrison et al.

The argument of this cause was commenced by Mr.

Alvah A. Clark, of counsel for the plaintiffs in error, and continued by Mr. Caldwell Parker, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday. January 31st 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. M. Teller it is ordered that Charles J. Hughes Jr. Esquire of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John Schreyer, individually and as Executor etc. vs. Appellant. John H. Platt, Assignee in bankruptcy of John Schreyer. 197

Mr. T. M. Cleaves of counsel, suggested the death of John H. Platt and the appointment of William Forse Scott, as Assignee of John Schreyer and moved the Court to make the said William Forse Scott as such Assignee the party appellee in this cause: Whereupon, It is now here ordered by the Court that the said William Forse Scott, Assignee in bankruptcy be, and he is hereby, made the party appellee in this cause.

The Celluloid Manufacturing Company et al. vs. Appellants Sylvester Power. 206

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, Thereupon, in pursuance of the 10th rule of this Court now here

ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Luba Boyaub et al. — Appeal from the Circuit
307. vs. Appellants — Court of the United States
The Clarke Oak Life Insur- — for the Northern Dis-
ance Company of Hartford. — trict of Illinois.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Inhabitants of the Town- — The argument
ship of Esmeralda. — of this cause was
195. vs. Appeal in Error. — concluded by
Thomas K. Harrison et al. — Mr. James A.
— Bayliss for defen-

sel for the plaintiffs in error.

John Schuyler, individually and as Executor &c. vs. Appellant
197. William Bacon Scott, Trustee etc.

The cause was argued by Mr. P.C. Dorsett of counsel for the appellant, and Mr. D. Mitchell Dyer, of counsel for the appellee.

The United States Mortgage Co vs. Appellant.
199. Anson Sperry et al.

The argument of this cause was commenced by Mr. J. J. Herrick of counsel for the appellant and continued by Mr. J. C. Wilson of counsel for the appellee.

On motion being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, January 3d, 1910

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. B. McConnell it is ordered that David Rathbone, Esquire, of Kaua City, State of Kansas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Julian T. Davis it is ordered that William Mitchell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that Frank Bergen and Frederick C. Mayer, Esquires, of Elizabeth, State of New Jersey, and John Hampton Barnes, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Adam G. Adams, Trustee

732 vs. Pff. in Error In Error to
James C. Conner, Administrator with the Circuit
the will annexed of Thomas J. Crit- Court of the
tenden deceased, & Wallis Crittenden, United States
Thomas E. Crittenden, Bernard Crit- for the Nor-
tenden, Adelphus Crittenden, Marcus thern Dis-
Crittenden, & Lucy Crittenden, Execu- trict of Ala-
tors of Thomas J. Crittenden, deceased, bama.
and Alfred Belcher.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Brewer.

Barlow L. Street. Appeal from the
1123 vs. Appellant. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Justice Brewer.

	Calvin R. Corbin & Horatio W. May, co-partners as Corbin, May and Company,	Appeal from the Circuit Court of the United States for the Eastern District of Michigan.
131.	vs.	
	Appellants.	
	Walter J. Gould, Edward Telfer, David D. Cady & L. E. Thompson, co-partners as W. J. Gould & Co.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

	John W. Burt & Fred Packard,	Appeal from the Circuit Court of the United States for the District of Massachusetts.
164.	vs.	
	Appellants.	
	Alexander E. Story, Thomas Kenyon & J. C. Belcher.	

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court with a direction to dismiss the bill.

per Mr. Justice Lamar.

The United States.

112 vs. Appellant.

John L. Worby. Appeals from the
Court of Claims.

John L. Worby.

1420 vs Appellant.

The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims on appeal and cross appeal, & was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims with a direction to enter a judgment in favor of the claimant for $11788.52.

per Mr. Justice Blatchford.

111 J. Granville Beals, Appellant, vs. The Illinois, Missouri and Texas Railroad Co. et al. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray

George Louis Dominique, Antonie de Gaffroy, and Jules Francois George de Gaffroy, by Arthur G. Bruce, their next friend. — Appeal from the Supreme Court of the District of Columbia.

1481 vs. Appellants

B. Francis Riggs, and Isadora Riggs, his wife, Alice L. Riggs, Lou T. Riggs and Cecilia Howard.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to overrule the demurrer of defendants

per Mr. Justice Field.

Samuel A. Davis — Appeal from the Third Judicial District Court of the Territory of Idaho.

1261 vs. Appellant.

A. E. Beacom, Sheriff of Owyhee County, Idaho Territory.

This cause came on to be heard on the transcript of the record from the Third Judicial District Court of the Territory of Idaho and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

W. B. Buford, J. W. Taylor, Charles Crocker, & George Crocker, co-partners, doing business under the firm-name and style of The Promontory Stock Ranch Company.

711 ——— vs. ——— Appellants.

John S. Houtz, Henry Covant & Edward Covant, partners, doing business under the firm-name and style of Houtz and Covant, Israel Hunsacker et al.

Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah and was argued by coun

3d. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

C. A. Smith & Benjamin Bordyce.
1164 vs. Pltf in Error
O. P. Lyon.

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Ant Miller.
1030 vs. Pff in Error
Ernst Ammon.

On consideration of the motion to advance this cause, It is

now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Francis Alexander et al. ... vs. ... Appellants. ... John Mackam et al. ... 1885

On consideration of the motion to strike out certain parts of the transcript of the record herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ezekiel Giles et al. ... vs. ... Plffs. in Error ... Samuel W. Little et al. ... 1884

On consideration of the stipulation of counsel herein to advance this cause, It is now here ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on the third Monday in March next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

181. John Treanor vs. Peff. in Error. The San Francisco Savings Union, The Bank of California & Thos. A. Mourse. — In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

367. Gelinger & Blum, a commercial firm composed of Paul R. Gelger, L. Reinhart & A. Hahnover; The Bank in Winterthur and F. B. Pleasants, U. S. Marshal. vs. Peffs. in Error, Caesar Philippi, Syndic of the insolvent Hubert A. Treau & Hubert A. Treau. — In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

Monday, February, 3d, 1890. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Order.

It is ordered by the Court that mandates issue in all cases decided prior to the 1st. of January, 1890, when applied for, except where a petition for rehearing is pending and cases docketed and dismissed under the 9th rule.

1467. The People of the State of California. vs. The San Pablo & Tulare L. & I. Co. Pltff. in Error.

Mr. George D. Edmunds, of counsel for the defendant in error moved the Court to rescind the order assigning this cause for ar-

gument on the first Monday in March next and to re-assign the case for a later day, which was opposed by Mr. Samuel Shellabarger, of counsel for the plaintiffs in error. Whereupon, It is now here ordered by the Court that the cause be, and the same is hereby, assigned for argument on Monday, March, 10th, 1890.

1598. Charles Palliser
v. Appellant.
The United States of America et al.

Mr. Roger Foster of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

1556. The Mobile & Ohio Railroad Company & The Farmers Loan and Trust Company.
v. Appellants
The State of Tennessee and The Counties of Obion, Gibson, Madison, Chester and Mc. Nairy.

Mr. S. F. Champion, of counsel for the appellees having filed in open Court certified copies of the final decree and order allowing an appeal in this cause, moved the Court to docket and dismiss this cause, pursuant to the

the rule: and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Western District of Tennessee, be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

1108. The Pennsylvania Railroad Company. vs. Mary Bowers. Pff. in Error. In Error to the Supreme Court of the State of Pennsylvania.

This cause having been called to the attention of the Court by Mr. John Hampton Barnes, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is therefore, in pursuance of said motion, now here ordered and adjudged by this Court

writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Pennsylvania R.R. Co. vs. Jeff. in Error. Mary Bowers. 1108. On motion of Mr. John Hampton Barnes, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Henry L. Little, Receiver etc. vs. Jeff. in Error. Samuel D. Bower, Comptroller etc. 194. On motion of Mr. Frank Bergen, of counsel for the defendant in error, It is ordered by the Court that the time within which to file additional briefs in this cause be extended to Monday, March 3d, next and that leave be granted counsel for the defendant in error to submit a motion to dismiss herein.

Thomas H. Mason et al. vs. Appellants. The Eureka Mining Co. et al. And. 168. On motion of Mr. William Wilson in behalf of counsel for Mason

240. The Penrabic Mining Co. et al. vs. Thomas A. Mason et al. Appellants. et al. leave is hereby granted the Clerk to issue the mandate in these cases.

1262. The Richmond & Danville Railroad Company vs. Nicholas Thorson et al. Appellant.

1263. And The Richmond & West Point Terminal Railway & Warehouse Co vs. Nicholas Thorson et al. Appellant.

The motions to dismiss in these cases were submitted to the consideration of the Court on the records & printed arguments by Mr. C. W. DaCosta & Mr. Samuel Dickson, in support of the same, and Mr. Pope Barrow, in opposition thereto.

199. The United States Mortgage Co. vs. Anson Sperry et al. Appellant. The argument of this cause was concluded by Mr. Lyman Trumbull, of counsel for the appellees.

Proclamation being made the Court is adjourned until

Monday, March 3d. 1890

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

The Honorable William H. Taft appeared and produced the following Letters Patent which were read in open Court and ordered to be recorded on the minutes of the Court as follows— viz:

Benjamin Harrison,
President of the United States of America.

To all who shall see these Presents, Greeting:
Know Ye: That reposing special trust & confidence in the Integrity and Ability of William H. Taft, of Ohio, I have nominated and by and with the advice and consent of the Senate, do appoint him Solicitor General and do authorize and empower him to execute and fulfil the duties of that Office, with all the powers privileges and emoluments thereunto of right appertaining, unto him, the said William H. Taft.

In testimony whereof, I have caused these Letters to be made Patent and the seal of the Department of Justice hereunto affixed.

Given under my hand, at the City of Washington, the fourth day of February in the year of our Lord, one thousand eight hundred and ninety and of the Independence of the United States of America the 114th.

[Seal]

Benj. Harrison.

By the President:

W. H. H. Miller.

Attorney General.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that William H. Taft, Esquire of Cincinnati, State of Ohio: Harvey D. Hadlock, Esquire of Boston, State of Massachusetts: Samuel G. Derrickson, Esquire of New York City: Joseph C. Bly and Arthur L. Brown, Esquires, of Providence, State of Rhode Island, and B. W. Miller, Esquire of Durango, State of Colorado, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Evarts it is ordered that Gurdon W. Bates, Esquire, of Akron, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin F. Butler it is ordered that Eugene S. Hadley, Esquire of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. M. Stockslager it is ordered that George G. Patrick, Esquire, of Pueblo, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. F. Isham it is ordered that James G. Day, Esquire, of Des Moines, State of Iowa, and John F. Runnells, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. B. Kellogg it is ordered that William W. Scott, Esquire, of Emporia, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Dorsey it is ordered that John Schurz, Esquire, of Omaha, State of the

Alaska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Lehigh Valley Railroad Company of Bernards, in the County of Somerset, 195. vs. Peffs. in Error. Thomas S. Morrison & Gardner S. Hutchinson, Survivors &c.

In Error to the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New Jersey.

per Mr. Justice Brewer.

(Mr. Justice Field took no part in the decision of this cause.)

	The County of Lincoln	In Error to the Circuit
274.	vs. Aff. in Error.	Court of the United States
	Nicholas Luning.	for the District of Nevada

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nevada, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Nevada.

per Mr. Justice Brewer.

	The County of Lincoln.	In Error to the Circuit
1275.	vs. Aff. in Error.	Court of the United States
	Charles Sutro.	for the District of Nevada.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nevada, and was argued by counsel. On consideration whereof, It is now here ordered and ad-

judged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Nevada.

per Mr. Justice Brewer.

The County of Lincoln vs. Peff in Error. C. D. Vincent.

In Error to the Circuit Court of the United States for the District of Nevada.

1276

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nevada, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Nevada.

per Mr. Justice Brewer.

The Louisville New Orleans & Texas Railway Company — In Error to the
1176 — vs. — Supreme Court
The State of Mississippi. — of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Dissenting:
Mr. Justice Harlan.
Mr. Justice Gray.

Charles A. Gregory. — Appeal from the Circuit Court
574 — vs. — Appellant. — of the United States for the
John E. Nelson. — District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of

Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

James D. Grantham — Appeal from the
1081 ... vs. ... Appellant ... Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Lamar.

William D. McKay. — In Error to the Circuit Court
1421 vs. Pff. in Error. — of the United States for the
The Village of Hyde Park — Northern District of Illinois.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to order a new trial, and to take such further proceedings as shall not be inconsistent with the opinion of this Court.

per Mr. Justice Lamar

James Coyne
vs. Plff. in Error.
The Union Pacific Railway Company.

In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

The Lucas Steamship Company,	In Error to the Circuit
vs. Pff. in Error.	Court of the United States
Barbara Merchant.	for the Southern District
	of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to award a new trial.

per Mr. Justice Blatchford.

Gustavus C. Hopkins Charles O. Miller & Lucius Hopkins Smith, composing the firm of Hopkins, Dwight & Co. successors of Lucius Hopkins and Amos P. Dwight, composing the firm of Hopkins, Dwight and Co. and Lucius H. Smith, Trustee etc.

vs.

John J. McLure, Administrator of George W. Melton deceased, et al.

In Error to the Supreme Court of the State of South Carolina

126 Pffs. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Blatchford

The Phoenix Caster Company,

vs.

Augustus Steiger, Henry Frank & Frederick Thoms.

Appeal from the Circuit Court of the United States for the District of Indiana.

150 Appellant.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

.....for Mr. Justice Blatchford.

Stephen C. Mills — In Error to the Circuit
vs. — Court of the United
Pltf. in Error, — States for the District
Montreso P. Allen, Adminis- — of Massachusetts.
trator of Stephen Mow deceased.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby, remanded to the said Circuit Court with a direction to award a

a new trial.

per Mr. Justice Blatchford

The California Insurance Company. vs. The Union Compresse Company. Pff. in Errors.

In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

1051

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum, that similar judgments bear in the Courts of the State of Arkansas.

per Mr. Justice Blatchford.

	David Armstrong, Receiver of the Fidelity National Bank of Cincinnati, Ohio	Appeal from the Circuit Court of the United States for the Southern District of Ohio.
1110	vs. Appellant.	
	The American Exchange National Bank, of Chicago, Illinois.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

(Mr. Chief Justice Fuller did not take any part in the decision of this cause.)

	David Armstrong, Receiver of The Fidelity National Bank of Cincinnati, Ohio.	Appeal from the Circuit Court of the United States for the Southern District of Ohio.
1111	vs. Appellant.	
	The American Exchange National Bank, of Chicago, Illinois.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

(Mr. Chief Justice Fuller did not take any part in the decision of this case).

Alexander R. Shepherd et al.
136. vs. Appellants.
George L. Seffer.

On consideration of the motion for leave to file the appeal bond of Mercy M. C. Gray herein. It is now here ordered by the Court that said motion be, and the same is hereby, granted, said bond to be filed nunc pro tunc as of November 26th, 1889.

per Mr. Justice Blatchford.

Alexander R. Shepherd, Samuel Cross, Peter F. Bacon et al.
136. vs. Appellants.

Appeal from the Supreme Court of the District

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Dissenting:

Mr. Justice Miller.

Henrietta T. Keller. Appeal from the
vs. Appellant. Supreme Court
Isabella W. Ashford, Executrix of of the District
Francis A. Ashford, deceased. of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded

to the said Supreme Court, with directions to enter a decree for the plaintiff.

per Mr. Justice Gray.

The Board of Commissioners of Delaware County, Indiana.	In Error to the Circuit Court
39 ——— vs. ——— Jeff. in Error.	of the United
The Detroit Safe & Lock Company, William H. Meyers and Edward G. Meyers.	States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and order a new trial, and to take such further proceedings as may be consistent with the opinion of this Court.

Asahel Gage. Appeal from the Circuit Court
187. vs. Appellant. of the United States for the Nor-
Ellis Kaufman. thern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Amelia A. Gunther & George A. In Error to the
Gunther, vs Executors & Trustees Circuit Court
of the last will & testament of of the United
C. Godfrey Gunther, deceased. States for the
1867. vs. Plffs. in Error. Eastern Dis-
The Liverpool and London and trict of New
Globe Insurance Company. York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern Dis-

trict of New York, and was argued by counsel. On consideration whereof, It is now hereby ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr. Justice Gray.

Hamilton Crusty, Edwards Crusty, Thomas W. Carter, Philip B. Mathews, Eloise D. Dayton Gaumy S. Mathews and Sarah C. Edmunds.

179. vs. Jeffs in Error

William B. Webb & Charles O. Drake.

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

(Mr. Justice Gray took no part in the decision of this cause.)

Alexander H. Sunday.

1236 vs. Appellant.

Susan W. Edwards & Alice Dyer.

and

James B. Green, Trustee. Appeals from the Supreme Court of the District of Columbia.

1237. vs. Appellant.

Susan W. Edwards & Alice Dyer.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Charles O. Pierce. Appeal from the Circuit Court

724. vs. Appellant. of the United States for the

Jacob Libby. District of Nebraska.

Monday, March, 3d 1890. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs: and it is further ordered, adjudged and decreed that the said decree be, and the same is hereby, suspended, and shall not become operative until the plaintiff brings into the Court below for the defendant the full amount of the notes for principal and interest executed by him to the defendant and made payable on the 28th days of May, 1885, 1886 and 1887, without interest upon any note after its maturity.

per Mr. Justice Harlan.

Thomas J. Bryan. Appeal from the
1287 vs. Appellant. Supreme Court
U. S. Nat. B. A. Omaha, of the Territory of
Robert Garside et al. Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, & the same is hereby, remanded to the said Supreme Court with directions that the demurrer to the complaint be overruled and for further proceedings consistent with the opinion of this Court.

per Mr. Justice Harlan.

199

A. G. Mc. Murray: Jerry Schooling: W. S. Chamberlain & William Henry, Charles Curtis, David Harlow and A. W. Bragg copartners, doing business in the firm-name of The Harlow Mill & Lumber Company: The First National Bank of Ohio et al.

vs

Appellants.

Charles Moran, David Perry Moran, & Annie D. Moran copartners, under the name of Moran Brothers.

Appeal from the Circuit Court of the United States for the District of the Arizona.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, as to H. J. Mc. Murray, A. H. Manning and W. G. Berry, partners as Manning & Berry: Charles G. Bender, Trustee for Manning and Berry: and The First National Bank of Baltimore Trustee for Manning and Berry, be, and the same is hereby, affirmed: and as to William Wright. A. A. Watkins. and Jerry Schooling. be. and the same is hereby, reversed with costs: and as to all the other appellants that this appeal be, & the same is hereby, dismissed.

And it is further ordered adjudged and decreed by this Court that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein consistent with the opinion of this Court.

per Mr. Justice Harlan.

James L. Priacy, Timothy H. Scan-		In Error to the
lan, Henry H. Dooley et al.		Circuit Court of
134.	vs. Pffs. in Error.	the United States
Louis Puffy, Assignee of W. S.		for the Eastern
Puffy.		District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest shall be paid at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

per Mr. Justice Harlan.

William Aspinwall		In Error to the Circuit
257.	vs. Pff in Error	Court of the United
Peter Butler, Receiver of the		States for the District
Pacific National Bank of Boston.		of Massachusetts.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Bradley.

Bernard B. Kraus, Pltff in Error, vs. The State of Louisiana. In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

4

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

The State of North Carolina		Appeal from the Cir-
& William A. Roberts, Auditor		cuit Court of the Un-
of the State of North Carolina		ited States for the East-
392.	v. Appellants.	ern District of
Alfred H. Temple.		North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill of complaint.

per Mr. Justice Bradley.

The Wisconsin Central Railroad		In Error to
Company.		the Supreme
76.	v. Plff. in Error.	Court of the
Price County and the County		State of Wis-
Clerk and County Treasurer		consin
of Price County.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be and the same is hereby, remanded to the said Supreme Court with instructions to enter a decree perpetually enjoining the collection of the Taxes levied in the year 1883 upon the Indemnity Lands, and dismissing the complaint as to the eleven parcels of forty acres each. per Mr. Justice Field.

Paul Louis Barthe & Dominique
François Barthe. . . . . In Error to
1381 vs. Jeffs. in Error. the Supreme
Arthur Denis, Dative Testamentary Court of the
Executor of the succession of L. P. State of
Boucher de Circé & Mrs. L. P. Boucher Louisiana.
er de Circé

This cause came on to be heard on the tran-

cript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to take further proceedings in accordance with the opinion of this Court.

per Mr. Justice Field

Josiah Bragg. Appeal from the Circuit Court
88. vs. Appellant. of the United States for the East-
De Witt C. Blair, Trustee. ern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Field.

Eugene Eisenbrecker [illegible] Wanderschied. John Wanderschied, Henry Brauch, J. B. Greenwood & John H. Gruson.		In Error to the Supreme Court of the State of Iowa.
101	vs.	
The District Court of Plymouth County, Iowa.	Plffs in Error	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Morton Culver and Michael Gormley.		In Error to the Supreme Court of the State of Illinois.
191.	vs.	
Gertrude Uthe.	Plffs in Error.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was a

sued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller.

Charles H. Wright, Appellant, vs. Joseph H. Nicholson, Superintendent of the Detroit House of Correction, Appellee. Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

1521.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Dissenting.

Mr. Chief Justice Fuller.

Mr. Justice Harlan.

	Ex parte: In the matter of James J. Medley	On petition for a writ of habeas corpus.
5.	Original. (Petitioner)	

On consideration of the application for the discharge of the petitioner James J. Medley, the writ of habeas corpus directing J. D. Lamping warden of the State penitentiary of the State of Colorado at Canon City, Fremont County, State of Colorado, to produce the body of the said James J. Medley before this Court and to certify the cause of his detention and imprisonment having been duly issued & served, and the said J. D. Lamping warden as aforesaid, having certified that said James J. Medley is detained in his custody under and by virtue of a writ issued out of the District Court of Arapahoe County, State of Colorado and the cause of said imprisonment having been duly inquired into by this Court upon the return of the said writ of habeas corpus thereto issued herein, and counsel having been therefore heard and due consideration having been had:

It is now here ordered by this Court that

the imprisonment of said James J. Medley under said writ is issued out of the District Court of Arapahoe County, State of Colorado, is without authority of law and in violation of the Constitution of the United States, and that the said James J. Medley is entitled to have his liberty: Wherefore, It is hereby ordered that the said James J. Medley be, and he is hereby, discharged from said imprisonment.

It is further ordered that the said S. A. Lamping, Warden as aforesaid, do notify the Attorney General of the State of Colorado of the day and the hour of the day when he will discharge the said James J. Medley from imprisonment, and that such notice be given at least ten days before the release of the prisoner.

Per Mr. Justice Miller

Dissenting:
Mr. Justice Brewer.
Mr. Justice Bradley

Ex parte; In the matter of James H. Savage. Original. Petitioner } On petition for a writ of habeas corpus

On consideration of the application for the discharge of the petitioner James H. Savage, the writ of habeas corpus directing J. A. Lamping Warden of the State Penitentiary of the State of Colorado at Canon City, Fremont County, State of Colorado, to produce the body of the said James H. Savage before this Court, and to certify the cause of his imprisonment and detention, having been duly issued and served, and the said J. A. Lamping, Warden as aforesaid, having certified that said James H. Savage is detained in his custody under and by virtue of a writ issued out of the District Court of Arapahoe County, State of Colorado, and the cause of said imprisonment having been duly inquired into by this Court upon the return of the said writ of habeas corpus heretofore issued herein, and Counsel having been heretofore heard and due consideration having been had:

It is now here ordered by this Court that the imprisonment of said James H. Savage under said writ issued out of the District Court of Arapahoe County, State of Colorado, is without authority of law and in violation of the

Constitution of the United States, and that the said James H. Savage is entitled to have his liberty. Whereupon, It is hereby ordered that the said James H. Savage be, and he is hereby, discharged from said imprisonment.

It is further ordered that the said S. D. Lamping, Warden as aforesaid do notify the Attorney General of the State of Colorado of the day and the hour of the day when he will discharge the said James H. Savage from imprisonment, and that such notice be given at least ten days before the release of the prisoner.

per Mr. Justice Miller

Dissenting:

Mr. Justice Brewer and
Mr. Justice Bradley.

The Nashua & Lowell Railroad Corporation.
vs. Appellant.
The Boston & Lowell Railroad Corporation.

160. It is ordered by the Court, that leave be, and the same is hereby, granted counsel for the respective parties herein to file printed briefs upon the question of the jurisdiction of the Circuit Court with-

ve thirty days from this date.

per Mr. Chief Justice Fuller.

Charles Palliser.
538 vs. Appellant.
The United States of America
et al.

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The McCormick Harvesting
Machine Company.
1402 vs. Plff. in Error.
Charles W. Watthers.

In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby,

affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Nebraska.

per Mr. Chief Justice Fuller.

	The St. Louis & San Francisco Railway Company	Appeal from the Circuit Court of the United
41.	vs.	States for the Southern
	Walter S. Johnston	District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in favor of the complainant according to the prayer of the bill, and to take further proceedings in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

(Mr. Justice Brewer was not a member of the Court when this case was argued and took no part in its decision).

William H. Peters, Receiver of The Exchange National Bank of Norfolk, Virginia.

87. vs. Appellant.

Robert P. H. Bain, George W. Bain Jr. and James E. Bain, late partners under the name and style of Bain Brothers, & John P. Griffin, Wm. O. Olds and John B. Jenkins, Trustees et al.

And

John P. Griffin, Wm. O. Olds & John B. Jenkins, Trustees etc.

198. vs. Appellants.

William H. Peters, Receiver of The Exchange National Bank of Norfolk, Virginia.

Appeals from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia on appeal and cross-appeal, and

was argued by counsel. On consideration where-
of, It is now here ordered, adjudged and decreed
by this Court that the decree of the said Circuit
Court in this cause be, and the same is hereby,
affirmed.

per Mr. Chief Justice Fuller.

(Mr. Justice Brewer was not a member of the
Court when this case was argued and took
no part in its decision).

Francis A. Palmer. — In Error to the Court
145. vs. Aff. in Error. — of Common Pleas for
Martin T. Mc. Mahon, Receiver — the City and County
of Taxes of the City of New York. — of New York.

This cause came on to be heard on the tran-
script of the record from the Court of Common
Pleas for the City and County of New York and
was argued by counsel. On consideration wher-
of, It is now here ordered and adjudged by this
Court that the judgment of the said Court of
Common Pleas for the City and County of New
York in this cause be, and the same is hereby,
affirmed with costs.

per Mr. Chief Justice Fuller.

	David Sturr.	Appeal from the Supreme
1172	vs. Appellant	Court of the Territory of
	Charles W. Beck	Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Dakota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court of the Territory of Dakota in this cause be, and the same is hereby, affirmed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of South Dakota

per Mr. Chief Justice Fuller.

(Mr. Justice Brewer was not a member of the Court when this case was submitted and took no part in its decision).

	R. S. Searle	In Error to the Circuit
1104	vs. Pfff. in Error.	Court of the United
	School District No. 2 in	States for the District
	the County of Lake	of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

1408 Emile Borsch & Martin Bauer vs. Albert Graff & J. G. Donnell. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the

same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

167. The United States vs. Pff. in Error. Joseph Howell et al. On motion of Mr. Attorney General Miller leave is hereby granted the Clerk to issue the mandate in this cause.

1362. E. J. LeBreton, Admr. et al. vs. Pff. in Error. Barbara Jennings, Admx. etc. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. J. C. Bates, in support of the same, and Mr. W. P. Belcher, in opposition thereto.

457 Isaac B. Potts vs. Pff. in Error Jacob W. Hoyer et al. On motion of Mr. W. H. Jessup, of counsel for the defendant in error, leave is

hereby granted the Clerk to issue the mandate in this cause.

519. Henry T. Thomas vs. Pff. in Error. James A. Murray.

520. Jefferson Mc Carthy vs. Pff in Error James A. Murray.

And

521. Benjamin B. Kingsbury vs. Pff. in Error James A. Murray.

The motions to dismiss in these cases were submitted to the consideration of the Court on printed arguments by Mr. Walter H. Smith in support of the same and Mr. S. F. Burdett, in opposition thereto in cases Nos. 520 & 521, and leave was granted to file affidavits showing the value of the matter in controversy.

Ex parte: In the matter of S. F. Miller & Gustav Pfeil, Trustees. Petitioners

Mr. S. F. Miller, of counsel for the petitioners submitted to the consideration of the Court a motion for leave to file a petition for a writ of error.

The United States ex rel: Charles K. Miller. vs. Green B. Raum Commissioner of Pensions. Pff. in Error.

1572. Mr. J. G. Bigelow of counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause.

Columbus Shaw. vs. Maria Ritchie. Pff. in Error.

3644 The death of Maria Ritchie the defendant in error herein, having been heretofore suggested, it is now on motion of Mr. George P. Apthorp, of counsel, ordered by the Court that Moore J. Wells and Shaw W. Rich have all sum of the said Maria Ritchie, deceased, &c. and they are hereby, made the parties defendants in error in this cause.

Ex parte: In the matter of Charles Mason Lane. Petitioner.

Mr. H. S. Hunt of counsel for the petitioner submitted to the consideration of the Court a motion for leave to file

a petition for writs of habeas corpus & certiorari.

Ex parte: In the matter of Jacob Baig. Petitioner

Mr. Joseph H. Choate of counsel for the petitioner submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition or for a writ of mandamus.

1578. The Attorney General of the Commonwealth of Massachusetts. vs. Appellant.
The Western Union Telegraph Co.

1579. The Western Union Telegraph Co. vs. Appellant.
The Attorney General of the Commonwealth of Massachusetts.

1580. The Attorney General of the Commonwealth of Massachusetts vs. Appellant
The Western Union Telegraph Co.

1581. The Western Union Telegraph Co vs Appellant.
The Attorney General of the Commonwealth

Mr H. C. Bliss of counsel submitted to the consideration of the

wealth of Massachusetts.
The Attorney General of the Common-
wealth of Massachusetts.
1582 vs. Appellant.
The Western Union Telegraph Co.

The Western Union Telegraph Co
1583 vs. Appellant.
The Attorney General of the Common-
wealth of Massachusetts.

Court a
motion to
advance
these cases

The United States
1634 vs. Appellant.
Richard W. Jones.

This cause was sub-
mitted to the consid
eration of the Court,
pursuant to the 20th
rule, on the record and printed arguments by
Mr. Assistant Attorney General Cotton and Mr.
G. P. Dewees, of counsel for the appellant, and Mr.
George A. King, of counsel for the appellee.

Henry L. Little Receiver etc.
694 vs. Sett. in Error.
Samuel A. Bower, Comptroller etc.

The motion to
dismiss in this
cause was sub
mitted to the
consideration of the Court on printed arguments
by Mr. Frank Bergen in support of the same

and Mr. E.B. Kercher and Mr. W.W.H. Grant in opposition thereto.

William A. Stuart. On motion of Mr. W.
1178 vs. Appellant. Hallett Phillips of coun-
A.L. Boulware et al. sel for the appellees, leave
is hereby granted the Clerk
to issue the mandate in this cause.

Britton A. Hill, Stockholder Mr. W. Hallett
in The Excelsior Insurance Co. Phillips, in be-
215. vs. Pff. in Error. half of counsel
The Merchants Mutual Insur- suggested the
ance Company. death of Britton
A. Hill, the plain-
tiff in error herein, and moved the Court to make William Preston Hill, Executor of the said Britton A. Hill, the party plaintiff in error. Whereupon, It is now here ordered by the Court that the said William Preston Hill, Executor of Britton A. Hill, deceased, be, and he is hereby, made the party plaintiff in error in this cause.

Mary C. Evans et al
686 vs. Appellants
The State National Bank
of the City of New Orleans.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed argument by Mr. W. Mallett Phillips & Mr. James Lea Evans in support of the same and Mr. T. H. Durant, Mr. H. J. May & Mr. A. D. Adams in opposition thereto.

Ex parte: In the matter
of Thomas C. Evans
Petitioner.

Mr. W. J. Bennett of counsel for the petitioner submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus.

Thomas Cunningham
Sheriff, &c.
1472 vs. Appellant
David Yeager

On motion of Mr. A. D. Adams, of counsel for the appellant, It is ordered by the Court that counsel for each side be allowed one and one half hours additional for the argument of this cause.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 11th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley,
John M. Harlan, Associate
Horace Gray, Justices
Samuel Blatchford,
Lucius Q. C. Lamar,
David J. Brewer.

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

On examination being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas J. Kennish it is ordered that Kara Hoffridge Foltz, of San Diego, State of California be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this be-

way by Mr. Wm. Henry Browne it is ordered that
Francis Putnam Stevens, Esquire of Baltimore
State of Maryland be admitted to practice as
an attorney and counsellor of this Court and
he was sworn accordingly.

On motion first made to the Court in this
behalf by Mr. C. E. Pitcher it is ordered that
W. H. Soares, Esquire, of Dickerson, State of Md.
be admitted to practice as an attorney
and counsellor of this Court and he was sworn
accordingly.

John Elder & William Ege.
Executors et al.
vs. Appellants.
1711 Loretta Shropshire et al.

On motion to
dismiss in this
cause was sub
mitted to the con
sideration of the
Court on printed arguments by Mr. William
Pinkney and Mr. James G. Day, in support of
the same and Mr. C. E. Pitcher, Mr. W. H. Hoyt
and Mr. G. L. Black in opposition thereto

1471. The United States Appellant. vs John S. Mosby.
1471a. John S. Mosby, Appellant. vs The United States.

On motion of Mr. W. Willoughby, of counsel for Mosby, leave is hereby granted the Clerk to issue the mandates in these cases.

Thomas Cunningham, Sheriff &c. vs. David Neagle. 1472. Appellant.

The argument of this cause was commenced by Mr. Jack Montgomery, of counsel for the appellant and continued by Mr. Attorney General Miller and Mr. Joseph H. Choate, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, March 3d, 1830.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Theodore W. Dyer, Chief Justice.

Samuel C. Dexter,

Joseph L. Bradley,

John Le. Norton, Associate

Horace Gray, Justices

Samuel Hubbard,

Lucius S. Sumner,

Oliver G. Brewer.

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William H. Evarts it is ordered that Josiah W. Dyer, Esquire, of Cincinnati, State of Ohio, and Samuel Hoar, Esquire, of Concord, State of Massachusetts, be admitted to practice as attorneys and counsellors of the Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. George T. Curtis it is ordered that A. A. Lunt, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. C. Skillman it is ordered that W. W. Martin, Esquire, of West Scott, State of Kansas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas Cunningham, Sheriff etc. vs. David Teagle. Appellant.

1472

The argument of this cause was continued by Mr. Joseph H. Choate, of counsel for the appellee, and concluded by Mr. George D. Johnson, of counsel for the appellant.

On motion duly made the Court is adjourned until to-morrow at twelve o'clock

Thursday, March, 6th. 1879

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Morrison R. Waite. Justices.
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Pullman's Palace Car Co.
vs. Pltf. in Error.
The Commonwealth of Pennsylvania.

The arguments of this cause was commenced by Mr. E. J. Fehnemann of counsel for the plaintiff in error, continued by Mr. W. A. Kirkpatrick, of counsel for the defendant in error, and concluded by Mr. John H. Pum-

mills, of counsel for the plaintiff in error.

319. Pullman's Palace Car Co. vs. H. H. Haywood Treasurer et al. Appellant.

The argument of this cause was commenced by Mr. John S. Runnells, of counsel for the appellant, and continued by Mr. C. S. Kellogg and Wm. W. Watts, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Friday, March 7th, 1890

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan, Associate
Horace Gray, Justices
Samuel Blatchford
Lucius Q. C. Lamar
David J. Brewer

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

207 Joseph J. Burns et al. vs. Julius W. Rosenstein et al. Appellants

On motion of Mr. B. F. Butler, of counsel for the appellants

It is ordered by the Court that this cause be, and the same is hereby, assigned for argument after No. 213.

	Willis H. Albright et al	Mr. D. P. Dyer, of
1432	vs. Appellants	counsel, suggested
	George Oyster et al.	the death of Simeon
	and	K. Oyster, one of
	Willis H. Oyster et al.	the appellees in these
1433.	vs Appellants.	cases, and moved
	George Oyster et al.	the Court to make

George Oyster, Administrator of the said Simeon K. Oyster, a party appellee herein. Whereupon, it is now here ordered by the Court that the said George Oyster Administrator of Simeon K. Oyster deceased, be, and he is hereby, made a party appellee in these cases.

	Sullivan's Palace Car Co.	The argument of
319.	vs Appellant.	this cause was
	H. K. Hayward, Treasurer et al.	concluded by Mr.
		B. F. Botts, of

counsel for the appellant.

	George A. Hammond & Co.	This cause was
300.	vs Ppts in Error.	argued by Mr.
	Thomas A. Hastings.	A. A. Garland of

counsel for the plaintiffs in error, and Mr. Thomas Mc. Dougall

of counsel for the defendants in error.

201 The Stone Tractions Co. et al. vs. The National Heater Co. Appellants

202 The Stone Tractions Co. et al vs. Wayne N. Whitten et al. Appellants

The appeals in these cases were commenced by Mr. Warren O. Bullock of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

(Mr. Justice Miller did not take any part in the decision of this case)

The Bells Gap Railroad Company. vs. The Commonwealth of Pennsylvania

In Error to the Supreme Court of the State of Pennsylvania.

(149)

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on motion to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Bradley.

The City of Chester		In Error to the Su-
498	vs.	preme Court of the
The Commonwealth of	Pff in Error.	State of Pennsylvania
Pennsylvania.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Bradley

The State of Louisiana ex rel:		In Error to
The New York Guaranty and		the Supreme
Indemnity Company.		Court of the
140	vs.	Pff. in Error.
Oliver O. Stale, Auditor of Public		State of Louis-
Accounts of Louisiana, substituted		iana.
for Allen Lumd, Auditor etc		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

Dissenting:

Mr. Justice Harlan.

68. William Hill vs. Pfff. in Error. The City of Memphis, Missouri. — In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

John Walker & William Lyle
Executors of John Lyle deceased,
et al.
1774 vs Appellants
Louisa Thompson et al.

On motion to dismiss the appeal herein for the reason that the cause and each of the appeal sought thereupon both, as well in support of, as against the same,

It is now here ordered by the Court that said motion be, and the same is hereby overruled.

per Curiam Chief Justice Bermudez

The City of New Orleans et al.
1525 vs Appellees
The New Orleans Water Works
Company et al.

Edward Power Jr. et al.
1536 vs Appellees
The New Orleans Water Works
Company et al

It is ordered by the Court that the motions to dismiss the appeals herein be, and the same is hereby postponed until the hearing of the cases upon their merits.

1572. The United States ex rel: Charles R. Miller. vs. Peff. in Error. Green B. Raum, Commissioner of Pensions. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause will be taken on printed arguments to be filed on or before the first Monday of April next.

per Mr. Chief Justice Fuller.

1578. The Attorney General of the Commonwealth of Massachusetts vs. Appellant The Western Union Telegraph Company.

1579. The Western Union Telegraph Company vs. Appellant. The Attorney General of the Commonwealth of Massachusetts.

560. The Attorney General of the Commonwealth of Massachusetts. vs. Appellant The Western Union Telegraph Company.

1581. The Western Union Telegraph Company. vs. Appellant. The Attorney General of the Commonwealth of Massachusetts.

1582 The Attorney General of the Commonwealth of Massachusetts
vs. Appellant
The Western Union Telegraph Company
1583 The Western Union Telegraph Company
vs. Appellant
The Attorney General of the Commonwealth of Massachusetts.

On consideration of the motion to advance these cases.

It is now here ordered by the Court that said motion be, and the same is hereby granted and the cases assigned for argument on the second Monday of the next term.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of P. C. Miller & Gustav Pabst Trustees. Petitioners

On consideration of the motion for leave to file a petition for a writ of error, and of the petition, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion and petition be, and the same are hereby, denied

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Charles Mason Lane. Petitioner. — On consideration of the motion for leave to file a petition for writs of habeas corpus and certiorari and of the argument of counsel in support of the same,

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Cartter.

Ex parte: In the matter of Charles Mason Lane. Petitioner — On petitions for writs of habeas corpus and certiorari.

On consideration of the petition of Charles Mason Lane:

It is now here ordered by the Court that cause be shown by George H. Case, Warden of the Penitentiary of the State of Missouri, before this Court at the City of Washington in the District of Columbia, on Monday the 7th. day of April. 1890. at 12 o'clock noon, of that day, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not issue as prayed in said petition.

In parte: In the matter of Jacob Baig. Petitioner. | On consideration of the motion for leave to file a petition for a writ of prohibition or for a writ of mandamus, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby granted.

per The Chief Justice Fuller.

In parte. In the matter of Jacob Baig. Petitioner. | On a petition for a writ of prohibition or for a writ of mandamus.

On consideration of the petition of Jacob Baig.

It is now here ordered by the Court that cause be shown by the Honorable Addison Brown, District Judge of the United States for the Southern District of New York, before this Court, on Monday the 31st day of March 1890, at Twelve o'clock noon of that day, or as soon thereafter as counsel can be heard why a writ of prohibition, or a writ of man-

damus should not issue as prayed in said petition.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Thomas G. Burrus. Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the formal issuing of the rule to show cause being waived, and a return filed by the Marshal of the United States for the District of Nebraska, who holds the petitioner in custody, as if such rule had issued, the case will be taken as submitted upon the printed briefs of counsel heretofore filed.

per Mr. Chief Justice Fuller.

No. 22. The Richmond & Danville Railroad Company. vs. Appellant. Nicholas Thomas; Frederick J. Burt, trading as Frederick Burt & Company: William J. Carr, Ed- Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the appeal be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Justice Butler.

263. The Richmond & West Point Terminal Railway & Warehouse Company. v. Nicholas Flowers: Frederick J. Burt, trading as Frederick Burt & Co; William J. Barr, Edmund Allen and Edmund S. Dwight. Appellant. Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and on a motion to dismiss which was argued by counsel. On consid-

eration whereof, It is now here ordered, adjudged and decreed by the Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

John C. Depuytron		In Error to the Circuit Court
1151.	vs.	Def. in Error. of the United States for the
Rowena Young.		District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

---Order---

There having been an Associate Justice of this Court appointed since the commencement of this term,

It is ordered that the following allotment

the Circuits of said Court among the Circuits, pursuant to the act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Nathan Clifford, Associate Justice.
For the Second Circuit, Samuel Nelson, Associate Justice.
For the Third Circuit, Joseph P. Bradley, Associate Justice.
For the Fourth Circuit, Morrison R. Waite, Chief Justice.
For the Fifth Circuit, Lucius Q. C. Lamar, Associate Justice.
For the Sixth Circuit, David Davis, Associate Justice.
For the Seventh Circuit, John M. Harlan, Associate Justice.
For the Eighth Circuit, Samuel F. Miller, Associate Justice.
For the Ninth Circuit, Stephen J. Field, Associate Justice.

Mr. Chief Justice Waite.

Order.

Ordered that subdivision 4 of Rule 23 of this Court is amended so as to read as follows:

"4. In cases in admiralty damages and interest may be allowed, if specially directed by the Court."

——Order——

Ordered that Rule 32 of the Rules of this Court is stricken out and the following is promulgated as Rule 32.

"32.

Writs of errors and appeals under the act of February 25, 1889, Chapter 236.

Cases brought to this Court by writ of error or appeal, under the act of February 25, 1889, chapter 236, where the final judgment or decree rendered by the Circuit Court does not exceed the sum of five thousand dollars, will be advanced on motion, and heard under the Rules prescribed by Rule 6 in regard to motions to dismiss writs of error and appeals."

179. Hamilton Ormsby et al. vs. Pffs. in Error. William B. Webb Ex B.D. Drake. On motion of Mr. W. B. Webb, leave is hereby granted the Clerk to issue the mandate in this cause.

The State of Indiana. ... On motion of
2. Original ... vs. ... Complainant ... Mr. A. E. Mc. Donald, of counsel
The State of Kentucky. ... for the complainant. It is ordered by the Court that this cause be, and the same is hereby assigned for argument on Monday April 7th.

The United States. ... Mr. Assistant Attorney General Maury, of counsel for the appellant,
1195 ... vs. ... Appellant. ... submitted to the consideration of the Court a motion to advance this cause.
The Trinidad Coal & Mining Co.

John G. Hartranft, Collector etc, ... On death of John
148. ... vs. ... Pltf. in Error. ... G. Hartranft, the
Meyer and Dickinson. ... plaintiff in error herein, having been heretofore suggested, It is now on motion of Mr. Assistant Attorney General Maury of counsel, ordered that Sallie D. Hartranft Administratrix of the said John G. Hartranft, be, and she is hereby, made the party plaintiff in error in this cause.

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The Continental Steam-
ship Company.
1285. ... vs. ... Pff. in Error
Timothy Kelly.

Mr. M. P. Morris of counsel suggested the death of Timothy Kelly, the defendant in error herein, and moved the Court to make John H. Burke Administrator of the said Timothy Kelly, the party defendant in error. Whereupon, It is now here ordered by the Court that the said John H. Burke, Administrator of Timothy Kelly, deceased, be, and he is hereby, made the party defendant in error in this cause.

Francis Daniese
905. ... vs. ... Appellant.
John Blake Kendall, Executor etc.

Mr. A. D. Birney of counsel suggested the death of Francis Daniese the appellant herein, and moved the Court to make John W. Douglass, Administrator of the said Francis Daniese the party appellant. Whereupon, It is now here ordered by the Court that the said John W. Douglass, Administrator of Francis Daniese, deceased, be, and he is hereby made the party appellant in this cause.

John W. Douglass, Administrator of the Estate of Francis Daniss deceased

vs. Appellant

John Blake Kendall, Executor of John B. Kendall deceased et al

Appeal from the Supreme Court of the District of Columbia.

905

This cause being called in the regular order of the Court by Mr. A. A. Birney, of counsel for the appellant, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The Howe Machine Co. et al.

vs. Appellants

The National Needle Co.

and

The Howe Machine Co. et al.

vs. Appellants.

Monzo H. Whitten et al.

201.

202.

The argument of this cause was continued by Mr. Harvey D. Hadlock, of counsel for the appellants and Mr. John E. Abbott and Mr. G. P. Lowry, of counsel for the appellees, and con-

cluded by Mr. Hadlock for the appellants.

Ex parte: In the matter of
The Louisville Underwriters.
8 Original ——— Petitioners

And.

Ex parte: In the matter of
The St Paul Fire & Marine
Insurance Company.
9 Original ——— Petitioner

These cases were argued by Mr. J. R. Beckwith of counsel for the petitioners and Mr O. S. Sansum, of counsel for the respondent.

Miletus J. Wine.
265. vs. Appellant.
London Mullin, Trustee of
The Gunnison Town and
Land Company.

Appeal from the Circuit Court of the United States for the District of Colorado.

This cause having been called to the attention of the Court by Mr. Nathaniel Wilson, of counsel for the appellant, and a stipulation to dismiss this cause having been filed. It is therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the

came is hereby, dismissed.

per Mr. Chief Justice Fuller

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Tuesday. March. 11th. 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.

Proclamation being made the Court is opened.

Ebenezer Horsford et al. vs. Appellants. J. J. Gudger et al. ... On motion of Mr. Walter D. Davidge in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause. 1175

Ex parte. In the matter of U. S. Bartlett and Co. Petitioners. Mr. Thomas C. Fletcher of counsel for the petitioners

submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus.

John Glenn, Trustee etc. vs. Peff. in Error. Hamilton G. Dant. 357.

The argument of this cause was commenced by Mr. Charles Marshall, of counsel for the plaintiff in error, and continued by Mr. Walter D. Davidge and Mr. W. G. Morris, of counsel for the defendant in error, and concluded by Mr. John Howard, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, March, 12th, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius Q.C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

Henry D. Symes.
vs. Eff. in Error.
James A. Murray.

519

On motion of Mr. J. H. Mc. Cowan, in behalf of counsel for the plaintiff in error,

Leave is hereby granted him to file affidavits as to the value of the matter in controversy in this cause.

664. The Cherokee Nation vs. The Southern Kansas Railway Company. Appellant.

The argument of this cause was commenced by Mr. John C. Carr of counsel for the appellant, continued by Mr. George R. Peck & Mr. A. B. Browne, of counsel for the appellee and concluded by Mr. J. B. Mc. Donald, of counsel for the appellant.

467. The People of the State of California. vs. The San Pablo & Tulare Railroad Company. Plffs. in Error.

Ordered by the Court that this cause be, and the same is hereby continued until next term.

212. William L. Lovell vs. George D. Cragin et al. Appellant.

The argument of this cause was commenced by Mr. W. Hallett Phillips of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March, 13th, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Randall it is ordered that Michael J. Mc. Henry, Esquire, of Gloucester, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William S. Lovell. ... The argument of this case
212. ... vs. ... Appellant. was continued by Mr. W.
George O. Cragin et al. Hallett Phillips, of counsel
for the appellant, & Mr.
J. O. Rouse, of counsel for the appellee, and concluded by Mr. Phillips, for the appellant.

Seth Osborne, Administrator This cause was
of Cyrus Osborne, deceased. argued by Mr. A.
211. ... vs. ... Appellant. S. Worthington of
John K. Green. counsel for the ap-
pellee, and sub-
mitted on printed arguments by Mr. W. Wil-
loughby & Mr. S. G. Beach, of counsel for the appellant.

John S. Jencks et al. Executors etc. The argument of
213 ... vs. ... Appellants. this cause was
The Quicksick Company et al. commenced by
Mr. O. O. Barrett
of counsel for the appellants.

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.

Friday, March, 14th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John A. Hutchinson it is ordered that John C. Heaton, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Yale Lock Company.		Appeal from the Circuit
218.	vs.	Court of the United
The Superior Lock Company		States for the Northern
and Miles H. Morris.		District of Illinois.

This cause having been called for hearing as the regular order and a Stipulation to dismiss this cause having been filed it is, therefore, in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

John S. Cauche et al. Executors etc.		The argument
213	vs.	of this cause
The Goodrich Company et al.		was continued
		by Mr. O. A.

Barrell of counsel for the appellant and Mr. Joseph B. Shy and Mr. W. A. Putnam of counsel for the appellees, and concluded by Mr. Benjamin F. Butler, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 17th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field,
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. B. Sloan it is ordered that Hiram O. Fairchild, Esquire, of Marinette, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

tion by Mr. W. P. S. Curtis it is ordered that Charles F. Baker Esquire, of Buffalo, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. G. Goudy it is ordered that William J. Campbell, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chicago, Milwaukee & St. Paul Railway Company.		Appeal from the Circuit Court of the United States for the Northern District of Illinois.
174	vs. Appellant.	
The Third National Bank of Chicago.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the de

cree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Chicago Kalamazoo & Burlington Railroad Company, The Toledo, Cincinnati & St. Louis Railroad Company, James M. Murphy, Charles P. Norbeck and John Mc. Mab.

vs. Appellants.

Thomas H. Hamilton.

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brewer.

	August E. Arndt, Jr. August E. Arndt, Sr. & Rosa Lauther	In Error to the Circuit Court of the United
1150	vs.	States for the District
	Matthew K. Griggs.	of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, & the same is hereby remanded to the said Circuit Court with directions for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brewer.

	Josiah H. De Witt and Josiah H. De Witt, Jr.	In Error to the Circuit Court of the United
173	vs.	States for the Southern
	Joseph H. Berry and Thomas Berry.	District of New York.

This cause came on to be heard on the tran

cript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, such as prevails on the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Lamar.

The Henderson Bridge Company. Pltff. in Error. vs. Wallace McGrath, Matthew Spellacy & Edward Ryan. Deft. in Error. In Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, & was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed

with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Indiana.

per Mr. Justice Lamar.

187. Edward S. Claypool vs. The Chesapeake Ohio & South western Railroad Company. Pff. in Error. In Error to the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

1133. C. A. Bough, President of the Council of the fifteenth session of the Legislature of Idaho Territory. vs. E. L. Curtis, Secretary of Idaho Territory. Appellant. Appeal from the Supreme Court of the Territory of Idaho.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the Territory of Idaho, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

134. H. J. Burkhart, Speaker of the House of Representatives of the fifth session of the Legislature of Idaho Territory. Appellant. vs. D. M. Rees, Chief Clerk of the House of Representatives & E. J. Curtis, Secretary of the Territory of Idaho. Appeal from the Supreme Court of the Territory of Idaho.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the Territory of Idaho, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan

The County Court of Macon County, The Justices thereof & the Treasurer of said County		In Error to the Circuit Court of the United States for the Western District of Missouri.
615	vs. Plffs. in Error	
The United States; use of Alfred Swickheimer.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Joseph Bamigan.		In Error to the Circuit Court of the United States for the District of Connecticut.
1357	vs. Plff. in Error	
Charles Bard, Receiver of The Hayward Rubber Co.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was

argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

E. J. LeBreton, Administrator of the estate of Theodore LeRoy, deceased, et al.

vs.

Barbara Jennings, as Administratrix of A. A. Jennings, deceased.

1562. Plffs. in Error.

In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on motion to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

The United States. Appellant
36 vs.
The Trinidad Coal and Coking Company.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted & the case assigned for argument on the second Monday of the next Term after the case heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Ex parte; In the matter of W. K. Davibank & Co. Petitioners.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of Counsel in support of the same, It is now here ordered by the Court that said motion be, & the same is hereby, denied.

per Mr. Chief Justice Fuller.

Sarah Osborne Administratrix of Cyrus Osborne, deceased Appellant
211. vs.
John H. Shaw.

Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

655. Maria P. Evans et al. vs. The State National Bank of the City of New Orleans. Appellants. Appellee. On consideration of the motion to dismiss in this cause and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

192. Michael Dorning. vs. Alfred Corning Clark. Appellant. Appellee. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

State for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

——Order.——

The Reporter having represented that owing to the number of decisions at the term it will be impracticable to print the reports in one volume. It is therefore, now here ordered that be published an additional volume in this year, pursuant to section 681 of the Revised Statutes.

per Mr. Chief Justice Fuller.

The Wasima & Lowell Railroad Corporation. ... vs. ... Appellant.
The Boston & Lowell Railroad Corporation et al. ...

On motion of Mr. E. J. Phelps, of counsel for the appellant, leave is hereby granted counsel in this cause to argue orally the question of the jurisdiction of the Circuit Court herein

The United States		In Error to the Circuit
58.	vs. Pff. in Error.	Court of the United States
Robert Bates Ringgold, William L. Phillips, Richard H. Law, and Simon Mussina,		for the Western District of Texas.

This cause having been called to the attention of the Court by Mr. Solicitor General Taft, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. It is, therefore, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The United States.		In Error to the Cir-
38	vs. Pff. in Error.	cuit Court of the
Edward Samuel, trading		United States for the
as Edward Samuel and		Eastern District of
Company.		Pennsylvania.

This cause having been called to the attention of the Court by Mr. Solicitor General Taft, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. It is,

therefore in pursuance of said motion were ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Isabella Lee, by her next friend Gideon Lee.
vs. Appellant.
418. Richard W. Simpson.

On motion of Mr. Leroy G. Youmans, of counsel for the appellant, leave is hereby granted him to file a brief in reply to the brief filed herein by the counsel for the appellee within ten days from this date.

Isabella Lee, by her next friend, Gideon Lee.
vs. Appellant.
1418 Richard W. Simpson.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. LeRoy G. Youmans, Mr. J. P. Carey & Mr. A. C. King, of counsel for the appellant & Mr. Joseph H. Earle, Mr. Augustine D. Smythe and Mr. James L. Orr, of counsel for the appellee.

The Louisville & Nashville Railroad Company. ... 1182. ... vs. ... Pff. in Error. ... Eddy Woodson a minor, by his next friend, W.H. Lea.

On motion of Mr. A.A. Freeman, of counsel for the defendant in error, It is ordered that the submission of the motion to dismiss herein be postponed until Monday next.

On motion of Mr. Ed. Baxter, of counsel for the plaintiff in error, leave is hereby granted Mr. W.M. Baxter to file a printed argument herein on said motion.

Ex parte: In the matter of Martha M. Humphreys et al. ... Petitioners. ... Mr. Duane S. Fox, in behalf of counsel for the petitioners, ... submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus.

T.J. Etheridge. ... 786. ... vs. ... Pff. in Error. ... Sperry, Watts & Garver ... The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. F. J.

Wilcox in support of the same and Mr. H. W. Blue and Mr. G. W. Lehmann, in opposition thereto.

384. Ezekiel Giles et al. vs. Pepp. in Error. Samuel W. Little et al.

This cause was argued by Mr. J. M. Woodworth, of counsel for the plaintiffs in error, and Mr. D. M. Marquette, of counsel for the defendants in error.

Recess taken from to-day, the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March, 18th, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Benjamin F. Butler it is ordered that John B. Clayberg, Esquire, of Helena, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William P. Gurin et al.		In Error to the Su-
220.	vs. Pffs. in Error.	preme Court of the Ter-
James O Talbott et al		ritory of Montana

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, Thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Joseph J. Burns and		Mr. B. F. Butler of coun-
Robert Parr.		sel for the appellants,
207.	vs. Appellants.	suggested the death
Julius W. Rosenstein et al		of Joseph J. Burns, one
		of the appellants herein,

and moved the Court to make Kara O. Burns, Administratrix of the said Joseph J. Burns, a party appellant. Whereupon, It is now here ordered by the Court that the said Kara O. Burns, Ad

administratrix of Joseph J. Burns, deceased, &c, and she is hereby, made a party appellant herein.

Clara C. Burns, Admix. of Joseph J. Burns, dec'd. et al. vs. Julius W. Rosenstein et al. — Appellants.

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The argument of this cause was commenced by Mr. Eugene J. Hadley, of counsel for the appellants, continued by Mr. William C. Storum, of counsel for the appellees, and concluded by Mr. Benjamin D. Butler of counsel for the appellants.

The Home Insurance Co. vs. The People of the State of New York. — Plff. in Error.

1.

The re-argument of this cause was commenced by Mr. C. N. Bristow, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Wednesday, 7th March, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Stephen J. Field,
Joseph P. Bradley,
John M. Harlan, Associate
Horace Gray, Justices
Samuel Blatchford,
Lucius Q. C. Lamar,
David J. Brewer.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

318. The Globe Mail Company, Appellant, vs. The Superior Mail Company et al.

On motion of Mr. L. L. Coburn, of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause

141. John L. Morris. vs. Plff. in Error James D. Talbott et al. — In Error to the Supreme Court of the Territory of Montana.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

142. Joseph O'Brien. vs. Appellant. Lilly Haines — Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and

decreed by this Court that the appeal be, & the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Home Insurance Co.
vs. Pff. in Error.
The People of the State of New York.

The re-argument of this cause was continued by Mr. B. H. Bristow, of counsel for the plaintiff in error, and concluded by Mr. Charles E. Babcock, of counsel for the defendant in error.

1.

O. R. Crutcher.
vs. Pff. in Error.
The Commonwealth of Kentucky.

This cause was argued by Mr. W. W. Mac Farland of counsel for the plaintiff in error, and Mr. J. P. Helm, of counsel for the defendant in error.

1205

Henry Lyng
vs. Pff. in Error.
The People of the State of Michigan.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Howard E. Thompson of counsel for the plaintiff in error: and Mr.

214

Edward Paine, of counsel for the defendants in error.

214 Carlisle Mason et al. vs. Pelts in Error. The United States.

The argument of this cause was commenced by Mr. W. C. Goudy, of counsel for the plaintiffs in error. Whereupon, it was ordered by the Court that this cause be passed for the present.

215 Mary Preston Iselt, Executor etc. vs. Pelts in Error. The Merchants Mutual Insurance Company.

The cause was submitted to the consideration of the Court on the record and printed arguments by Mr. G. W. Stewart, of counsel for the plaintiff in error, and Mr. E. W. Pattison of counsel for the defendant in error.

216 James W. Elwell, Trustee, etc. vs. Appellant. William R. Goodrick et al. Trustees etc.

The argument of this cause was commenced by Mr. Samuel O. Lynde, of coun-

set for the appellant.

(The Chief Justice did not sit during the argument of this cause.)

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Thursday, March, 20th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

Simon Bloch et al. vs. Appellants. Gustav Schilling. 217

On motion of Mr. L. L. Coburn, of counsel for the appellants, it is ordered by the Court that the cause be, and the same is hereby, continued until the next term.

James W. Elwell, Trustee etc.
216 vs. Appellant.
Wm. G. Goodrich et al. Trustees etc.

The argument of this cause was continued by Mr. Edward J. Lander, of counsel for the appellant, and Mr. W. H. Lyford of counsel for the appellees and concluded by Mr. C. M. Osborn, of counsel for the appellant.

The Chief Justice did not sit during the argument of this cause.

Ward B. Whittemore.
219 vs. Appellant.
The Androscoggin National Bank et al.

This cause was argued by Mr. G. L. Livermore, of counsel for the appellee, and submitted on a printed argument by Mr. H. G. Wood, of counsel for the appellant.

Evelina L. Hathaway, widow etc.
223. vs. Deft. in Error.
The First National Bank of Cambridge.

The argument of this cause was commenced by Mr. Lucius E. Fox, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock

Friday. March, 21st. 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. D. K. Watson it is ordered that Daniel J. Ryan, Esquire, of Portsmouth, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

tray by Mr. Samuel Shellabarger it is ordered that Cecil D. Hine, Esquire, of Youngstown, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Faulkner it is ordered that T. M. Garvin, Esquire, of Wheeling, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas Denton. Appeal from the Su
vs. Appellant. preme Court of the Ter
Salt Lake County et al. ritory of Utah.

1890.

This cause having been called for hearing in its regular order, and the authority of counsel for the appellant to dismiss this cause having been filed, It is, therefore, in pursuance of said authority, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Dismal Swamp Canal Company.		In Error to the Supreme Court
231.	vs. Plff. in Error.	of Appeals of the
The Commonwealth of Virginia.		State of Virginia.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon in pursuance of the 10th. rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Dismal Swamp Canal Company.		In Error to the Supreme Court
232.	vs. Plff. in Error.	of Appeals of the
William Lamb, Mayor of the City of Norfolk.		State of Virginia.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the

10th. rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

James B. Justice
vs. Pff in Error
The Commonwealth of
Virginia.

In Error to the Supreme Court of Appeals of the State of Virginia.

133

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, thereupon, in pursuance of the 10th. rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller

Evaline L. Hathaway, widow &c.
vs. Pff in Error
The First National Bank of
Cambridge.

The argument of this cause was continued by Mr. Duane E.

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for of counsel for the plaintiff in error, and Mr. George C. Hoar, of counsel for the defendant in error; and concluded by Mr. Poe for the plaintiff in error.

144 The United States. vs Plff. in Error. John D. Sanborn. And

145 John D. Sanborn. vs Plff. in Error The United States.

These cases were argued by Mr. Alphonso Hart, of counsel for the United States, and Mr. Benjamin F. Butler and Mr. O. D. Barrett, of counsel for Sanborn.

146 Sanford B. Ewell. vs Appellant. The Northern Pacific Railroad Company.

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. John G. Wooley, of counsel for the appellant, and Mr. W. C. Clough, Mr. A. H. Garland and Mr. H. F. Way of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 24th 1890.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Isaac D. Mc Cutchion, Esquire, of Helena, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Assistant Attorney General Maury it is ordered that Harry E. Richards, Esquire, of Bloomfield, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

197. John Schreyer, individually &c as Executor & Trustee of the last will & testament of Anna Maria Schreyer, deceased. vs. William Morse Scott, Assignee in Bankruptcy of John Schreyer. Appellant. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, & the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

George H. Hammond & Co.		In Error to the Circuit
Company.		Court of the United States
200.	vs. Pff. in Error.	for the Northern Dis-
Thomas O. Hastings.		trict of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Brewer.

The United States.		Appeal from the
1554	vs. Appellant.	Court of Claims.
Richard W. Jones.		

This cause came on to be heard on the transcript of the record from the Court of Claims & was argued by counsel. On consideration where-

of. It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Lamar.

Carl Fohl and Charles Goller.		Appeal from the Circuit Court of the United States
1269	vs. Appellants.	for the Southern District
The Anchor Brewing Co.		of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to overrule, with costs the plea of the defendant to assign it answer the bill, & to take such further proceedings as shall not be inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

762 The Chicago, Milwaukee & St. Paul Railway Company. vs. The State of Minnesota, ex rel: The Railroad & Warehouse Commission of the State of Minnesota. } In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

Dissenting:

Mr. Justice Bradley.
Mr. Justice Gray.
Mr. Justice Lamar.

The Minneapolis Eastern Railway Company. Plff in Error. vs. The State of Minnesota, ex rel: The Railroad & Warehouse Commission of the State of Minnesota. Def in Error. In Error to the Supreme Court of the State of Minnesota.

1118.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court, with an instruction to take further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

Dissenting:

Mr. Justice Bradley.
Mr. Justice Gray.
Mr. Justice Lamar.

	W. L. Thomas, Police Sergeant of the City of Richmond	Appeal from the Circuit Court of the United States for the Eastern District of Virginia.
1118.	vs. Appellant.	
	Wilson Lowry.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

	H. Fitzgerald, Sergeant of the City of Manchester	Appeal from the Circuit Court of the United States for the Eastern District of Virginia.
1117.	vs. Appellant	
	Charles Green.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consider-

ation whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Gray.

Ex parte: In the matter of Martha M. Dompkins et al. Petitioners. — On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, & the same is hereby, denied.

per Mr. Chief Justice Fuller.

4486. L. F. Etheredge vs Pff. in Error Sperry, Watt & Garver. — It is ordered by the Court that the further consideration of the motion to dismiss herein be, & the same is hereby, postponed until the hearing of the case on its merits.

per Mr. Chief Justice Fuller

201 The Howe Machine Company
vs. George P. Dexter, Assignee
in Insolvency of John G. Wood.
vs. Appellants.
The National Needle Company.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

202 The Howe Machine Company
vs. George P. Dexter, Assignee
in Insolvency of John G. Wood.
vs. Appellants.
Alonzo H. Whitten and George W. Lasall.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

John Mann Trustee of the National Express & Transportation Company. Pltf. in Error. vs. Hamilton G. Dant. In Error to the Supreme Court of the District of Columbia.

357.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Heilner & Klein et al
367 vs. Pff. in Error
Caesar Philippi, Surviv. &c.

On motion of Mr. C. E. Browne it being of counsel is hereby granted the Clerk to issue the mandate in the cause.

William H. Robertson Collector
of the Port of New York
249 vs. Pff. in Error
Bennett B. Schneider.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr. Solicitor General Dept, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, therefore, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Thomas Ryan
1307 vs. Pff. in Error.
The United States.

Mr. Solicitor General Dept. of counsel for the defendant in error, submitted to the consideration of the

Court a motion to advance this cause.

William H. Brown. The motion to dismiss
1877 vs. Pff. in Error. in this cause was
Julius H. Walker, Executor etc. submitted to the consideration of the Court on printed arguments by Mr. R. W. Shand, in support of the same and Mr. S. F. Phillips, in opposition thereto.

The Louisville and Nashville The motions to dismiss or affirm in this
Railroad Company. cause were submitted to the consideration of the Court on the record and printed arguments by Mr. A. A. Freeman, in support of the same, and Mr. Ed. Baxter, in opposition thereto.
182. vs. Pff. in Error.
Eddy Woodson, a minor, by his next friend, W. H. Lea.

The Iowa Falls & Sioux City In Error to the Supreme Court of the State of Iowa.
Railroad Company.
227 vs. Pff. in Error.
John Beck.

This cause having been called to the attention of

the Court by Mr. Isaac S. Struble, in behalf of counsel and the authority of counsel for the Plaintiff in error to dismiss this cause having been filed. It is, therefore, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Iowa Falls & Sioux City Railroad Company. vs. Jeff. in Error. Levant Wentworth et al

In Error to the Supreme Court of the State of Iowa.

528

This cause having been called to the attention of the Court by Mr. Isaac S. Struble, in behalf of counsel, and the authority of counsel for the Plaintiff in error to dismiss this cause having been filed, It is, therefore, in pursuance of said authority, now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Iowa Falls & Sioux City Railroad Company vs. Pltff. in Error Eleanor Nichols et al. In Error to the Supreme Court of the State of Iowa.

829

This cause having been called to the attention of the Court by Mr. Isaac L. Stuble, in behalf of counsel, and the authority of counsel for the plaintiff in error to dismiss this cause having been filed, It is, therefore, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Iowa Falls & Sioux City Railroad Company vs. Pltff. in Error Hocum Nichols et al. In Error to the Supreme Court of the State of Iowa.

830

This cause having been called to the attention of the Court by Mr. Isaac L. Stuble, in behalf of counsel, and the authority of counsel for the plaintiff in error to dismiss this cause having been filed, It is, therefore, in pursuance of said authority

now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Thomas J. Bryan. In an Error to the
1287. vs. Appellant. Circuit Court of the
W. W. Kales et al. United States for the
Northern District of
Illinois.

On motion of Mr. William A. McKenney, of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

Mrs. Julia A. Mutts In Error to the Circuit Court
235 vs. Pff. in Error. of the United States for the
The Parish of Vernon. Western District of Louisiana.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

The Oregon Railway and Navigation Company.

236. vs. Pff. in Error.

The Oregonian Railway Co. Limited.

The Oregon Railway and Navigation Company.

237. vs. Pff. in Error.

The Oregonian Railway Co. Limited.

And.

The Oregon Railway and Navigation Company.

238. vs. Pff. in Error.

The Oregonian Railway Company, Limited.

These cases were submitted to the consideration of the Court on the records and a printed argument by Mr. J. W. Wolfe, of counsel for the plaintiff in error, and on the records by Mr. George F. Edmunds and Mr. A. H. Garland, of counsel for the defendant in error.

Brown, Bonnell and Co.

227. vs. Appellants.

The Lake Superior Iron Co. et al.

This cause was argued by Mr. Francis J. Wing and Mr. B. C. Baldwin, of counsel for the appellees, and submitted on a printed argument by Mr.

Henry Crawford, of counsel for the appellants, and Mr. Samuel Gallaharger and Mr. J. M. Wilson, of counsel for the appellees.

228. Julius Freiburg et al. vs. Appellants.
Joseph Dreyfus et al

The argument of this cause was commenced by Mr. N. C. Labatt, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March, 25th, 1890.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. G. C. Fletcher it is ordered that Frederick H. Bacon, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John T. Jencks et al.
Executors etc.
213. vs. Appellants.
The Quidnick Company et al.

Ordered by the Court that counsel for the appellants be allowed to file an additional printed brief herein and that counsel for the appellees be allowed to file a reply thereto on or before Tuesday next.

Julius Freiburg et al.
228. vs. Appellants.
Joseph Dreyfus et al.

The argument of this cause was continued by Mr. D. C. Labatt, of counsel for the appellants, and concluded by Mr. R. H. Browne, of counsel for the appellees.

George L. Rich.
229. vs. Pff. in Error.
The Town of Mentz.

This cause was argued by Mr. James R. Cox, of counsel for the plaintiff in error, and Mr. F. O. Wright, of counsel for the defendant in error.

24.	The Grow Silver Mining Co vs. Peff in Error. The Mike and Starr Gold and Silver Mining Co.	The argument of these cases was commenced by Mr. Ashley Sand, of counsel for the plaintiff in error.
	And	
25.	The Grow Silver Mining Co. vs. Peff in Error. The Mike and Starr Gold and Silver Mining Co.	

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Wednesday, March 26th, 1890

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford
Lucius L. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William O. Mc. Kenney it is ordered that James M. Rice, Esquire, of Peoria, State of Illinois, James I. Kay, Esquire, of Pittsburg, State of Pennsylvania and John C. Pennie, Esquire of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Springer it is ordered that Robert P. Hanna, Esquire, of Fairfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. B. Browne it is ordered that Frederick J. Hebard, Esquire of Cheyenne, Territory of Wyoming, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry E. Davis it is ordered that R. Mason Lisle, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. K. Davis, it is ordered that C. Gyson Butcher, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and

counsellor of this Court and he was sworn accordingly.

24. The Iron Silver Mining Co. vs. Plff. in Error. The Mike & Starr Gold & Silver Mining Co.

And

25. The Iron Silver Mining Co. vs. Plff. in Error. The Mike & Starr Gold & Silver Mining Co

The argument of these cases was continued by Mr. Ashley Pond, of counsel for the plaintiff in error, and Mr. D. W. Patterson, of counsel for the defendant in error and concluded by Mr. E. S. Dixon, of counsel for the plaintiff in error.

22. The Iron Silver Mining Co. vs. Plff. in Error. Peter Campbell et al

The argument of this cause was commenced by Mr. E. O. Wolcott, of counsel for the plaintiff in error & continued by Mr. H. W. Keller, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Thursday, March, 27th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this today by Mr. L. E. Dixon it is ordered that John A. Edgar and William Flower Page, Esquires, of Saginaw, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Ohio Central Railroad Co: — On motion of
288. vs. Appellant. — Mr. J. E. Kenna
The Central Trust Company of N. Y. — in behalf of
counsel, leave

is hereby granted the Clerk to issue the mandate in this cause.

Adolphus Eckloff. — This cause was sub-
344. vs. Pff. in Error. — mitted to the consid-
The District of Columbia. — eration of the Court
on the record and

printed arguments by Mr. C. C. Cole and Mr. W. L. Cole, of counsel for the plaintiff in error and Mr. George C. Hazleton, of counsel for the defendant in error.

The Citizens Bank of — In Error to the
Topeka, Kansas. — Circuit Court
348. vs. Pff. in Error. — of the United
Nathan P. Cabot & Oscar A. — States for the Dis-
Marshall, Administrators of — trict of Vermont.
Frank W. Brooks, deceased.

This cause having been called for hearing in its regular order, and a stipulation to dismiss

this cause having been filed It is, therefore, on stipulation now here entered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The Iron Silver Mining Co.
22. vs. Pff. in Error.
Peter Campbell et al.

The argument of this cause was continued by Mr. T. M. Patterson, of counsel for the defendants in error and concluded by Mr. L. S. Dixon of counsel for the plaintiff in error.

John L. Sullivan et al.
151. vs. Pffs. in Error.
The Iron Silver Mining Co.

This cause was argued by Mr. T. M. Patterson, of counsel for the plaintiffs in error, and Mr. L. S. Dixon, of counsel for the defendant in error.

The District of Columbia
234. vs. Pff. in Error.
Henry E. Woodbury.

The argument of this cause was commenced by

Mr. Henry B. Davis of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, March, 28th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford
Lucius L. C. Lamar
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Alonzo C. Lynde it is ordered that Warren Ogro Kute, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. L. T. Stuble it is ordered that Robert W. Newton, Esquire, of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States
vs.
Joseph W. Lacher.

6574 Plaintiff.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Thomas of counsel for the plaintiff and Mr. Benjamin Barker, Jr. of counsel for the defendant.

Francis Alexandre et al
vs.
John Mackay et al.

1185. Appellants.

Mr. T. P. Bruenick, of counsel for the appellants, suggested the death of Francis Alexandre, one of the appellants herein, and moved the Court to make John B. Alexandre, J. Joseph Alexandre and J. Henry Alexandre as Executors of the said Francis Alexandre parties appellants. Whereupon, It is now here ordered by the Court that the said John B. Alexandre, J. Joseph Alexandre and J. Henry Alexandre as Executors of the an-

as Alexandre deceased. &c, and they are hereby, made parties appellants in this cause.

William H. Robertson, Collector		In Error to the Circuit
of the Port of New York		Court of the United
230	vs. Pff. in Error.	States for the Southern
Franklin Rolfe.		District of New York.

This cause having been called for hearing in its regular order, and Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, having moved the Court to dismiss this cause, It is therefore in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The District of Columbia.		The argument of this
234	vs. Pff. in Errors.	cause was continu-
Henry E. Woodbury		ued by Mr. James
		Coleman and Mr.

S. W. Wilson, of counsel for the defendant in error, and concluded by Mr. Henry E. Maury, of counsel for the plaintiff in error.

Howard Mansfield
237 vs. Pltf in Err.
The Excelsior Refinery Co.

The cause was argued by Mr. W. B. Wake of counsel for the defendant in error & submitted on a printed argument by Mr. Henry E. Mason, of counsel for the plaintiff in error.

The United States.
241 vs. Plaintiff.
Leslie G. Chase.

The argument of this cause was commenced by Mr. Assistant Attorney General Thurber, of counsel for the plaintiff, and continued by Mr. Warren O Kyle, of counsel for the defendant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, March, 31st, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius L. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr Attorney General Miller it is ordered that Ulric J. Wiley, Esquire, of Fowler, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this term

day by Mr. Enoch Totten it is ordered that H. C. Gridley, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. Sayers it is ordered that A. W. Houston, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

James W. Elwell, Trustee, by The National City Bank of Ottawa.

216. vs. Appellants.

William R. Goodrick and James D. Fish, Trustees etc. et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and de-

creed by this Court that this appeal be, & the same is hereby, dismissed with costs.

per Mr. Justice Blatchford.

(Mr. Chief Justice Fuller having been of counsel in this cause, did not sit in it or take any part in its decision.)

Evelina L. Hathaway, Executrix of James L. P. Hathaway, deceased.

vs.

The First National Bank of Cambridge.

In Error to the Circuit Court of the United States for the District of Massachusetts.

223 Pff. in Error

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, & was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Blatchford.

8 Ex parte: In the matter of The Louisville Underwriters of Louisville, Kentucky. Original. Petitioners. } On petition for a writ of prohibition.

On consideration of the petition for a writ of prohibition and return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied with costs.

per Mr. Justice Gray.

9 Ex parte: In the matter of The St. Paul Fire & Marine Insurance Company of St. Paul, Minnesota. Original. Petitioners. } On petition for a writ of prohibition.

On consideration of the petition for a writ of prohibition and return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court

that said petition be, and the same is hereby, denied with costs.

per Mr. Justice Gray.

William Preston Hill, Executor of Sutton A. Hill deceased, Stockholder in the Excelsior Insurance Company. Pff. in Error. In Error to the Supreme Court of the State of Missouri.

315. vs.

The Merchants Mutual Insurance Company.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Clara O. Burns, Administratrix of Joseph L. Burns, deceased, and Robert Parr.		Appeal from the Circuit Court of the United States for the District of Massachusetts.
307	vs. Appellants.	
Julius W. Rosenstein, Lee Rosenstein & Henry Silliman.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Massachusetts.

per Mr. Justice Harlan.

The Oregon Railway and Navigation Company.		In Error to the Circuit Court of the United States for the District of Oregon.
236	vs. Pff. in Error.	
The Oregonian Railway Company, Limited.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Chief Justice Fuller.

The Oregon Railway and Navigation Company. vs. The Oregonian Railway Company, Limited.

In Error to the Circuit Court of the United States for the District of Oregon.

237. Plff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with

costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Chief Justice Fuller.

The Oregon Railway and Navigation Company. vs. The Oregonian Railway Company, Limited. — Pff. in Error. — In Error to the Circuit Court of the United States for the District of Oregon:

238

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Chief Justice Fuller.

	Sanford S. Small.	Appeal from the Circuit
226	vs Appellant.	Court of the United States
	The Northern Pacific	for the District of Minne-
	Railroad Company.	sota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

	David A. Whittemore.	Appeal from the Circuit
219.	vs. Appellant.	Court of the United States
	The Amoskeag National	for the District of New
	Bank et al.	Hampshire.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said

Circuit Court in this cause be, and the same is hereby, reversed, costs to be paid by appellant: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill for want of jurisdiction.

per Mr. Chief Justice Fuller.

Thomas Ryan
vs. Jeff. in Error.
The United States.

1307

On consideration of the motion to advance this cause it is now here ordered by the Court that said motion be, and the same is hereby, granted, the cause to be submitted on printed arguments to be filed on or before the third Monday in April.

per Mr. Chief Justice Fuller.

1277 The Central Trust Co. of N. Y. Appt. vs. The Grant Locomotive Works et al.
1278 The Dayton, Gr. Wayne & Chicago R.R. Co Appt vs. " " " " " " "
1279 The Central Trust Co. of N. Y. Appt. vs. U. S. Grant.
1283 The Dayton, Gr. Wayne & Chicago R.R. Co. Appt. vs. " " " "
1281 The Central Trust Co. of N. Y. Appt. vs. The Grant Locomotive Works et al.
1282 " " " " " " " " " " U. S. Grant.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. B. H. Bristow, Mr. Blyford Wilson and Mr. W. J. Opdyke, in support of the same and Mr. Edward Colston and Mr. George Hoadly Jr. in opposition thereto.

	The United States.	Mr. J. K. Mc. Cammon of counsel for the Central Pacific Railroad Company, submitted to the consideration of the Court a motion to advance these causes.
1114	vs. Appellant.	
	The Central Pacific Railroad Co.	
	&c.	
	The Central Pacific Railroad Co.	
1122	vs. Appellant.	
	The United States.	

	Otis Brothers & Company et al.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.
257	vs. Appellant	
	Crane Brothers Manufacturing Company et al.	

This cause being called for hearing in its re-

gular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Louis W. Blades. Appeal from the Circuit Court
205. vs. Appellant. of the United States for the
Rand, Mc. Nally & Co. Northern District of Illinois.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

244. The United States. vs. Plaintiff. Leslie L. Chase. The argument of this cause was continued by Mr. Warren O. Styles, of counsel for the defendant and concluded by Mr. Assistant Attorney General Maury, of counsel for the plaintiff.

604. George L. Thayer, Trustee etc. vs. Peff. in Error. Peter Butler, Receiver etc.

605. Peter Butler, Receiver etc. vs. Peff. in Error. Mary J. Batow. And The Pacific National Bank of Boston.

542. vs. Peff. in Error. Mary J. Batow.

Mr. J. M. Stewart in behalf of counsel submitted to the consideration of the Court a motion to advance these cases.

166. The Nashua & Lowell Railroad Corporation vs. Appellant. The Boston & Lowell Railroad Corporation et al.

The question of the jurisdiction of the Circuit Court in this cause was argued by Mr. E. J. Phelps, of counsel for the appellants, and Mr.

J. H. Benton Jr. of counsel for the appellees.

Ex parte: In the matter of Jacob Baiz. Original ——— Petitioner

The argument of this case was commenced by Mr. Joseph H. Choate of counsel for the petitioner.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Tuesday. April. 1st. 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Calderon Carlisle it is ordered that W. H. Dyrenforth, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

leaf by Mr J. H. Mitchell it is ordered that Robert O'Neill Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that the Court would adjourn from Thursday next to Monday the 7th. instant.

Charles H. Krippendorf. Appellant. Appeal from the Circuit
269 vs. Court of the United States
William L. Hyde et al. for the District of Indiana.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Quebec Steamship Co. — On motion of Mr.
90. vs. Pff. in Error — R.D. Benedict, in
Barbara Merchant — behalf of counsel,
leave is hereby granted the Clerk to issue the mandate in this cause.

Ex parte: In the matter — The argument of this
of Jacob Baiz — cause was continued
N. Original — Petitioner — by Mr. Joseph H. Choate,
of counsel for the petitioner, and concluded by Mr. Robert D. Benedict, of counsel for the respondent.

August Drum, Trustee etc. — The argument of
243. vs. — Appellant. — this cause was commenced by Mr. Joseph
Leander J. T. Murray et al. — Wilby, of counsel for
the appellant. Further argument was suspended for the present.

Leonard Mackall et ab. — The argument
107 vs — Appellants. — of this cause
Brooke Mackall Jr. et ab. — was commenced by Mr. S.
S. Henkle, of counsel for the appellants, and con-

tinued by Mr. J. M. Wilson, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

96

Wednesday April 2d 1890

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. J. Lewis it is ordered that John B. Carson, Esquire of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Cockrill it is ordered that Bill

Hayward, Esquire, of St. Joseph, State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Phillips it is ordered that J. V. Ryan, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. S. Whitehead it is ordered that E. B. Convers, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that W. J. Bright, Esquire, of Indianapolis, State of Indiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Springer it is ordered that William N. Green, Esquire of Cairo, State of Illinois, and J. Alexander Chester, Esquire of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

François Henry Lamb, et al. vs. Stephen W. Chester. Appellants. Appeal from the Circuit Court of the United States for the Southern District of New York.

317.

This cause having been called to the attention of the Court by Mr Charles E. Hovey, on behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, therefore, on pursuance of said stipulation, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed. — per Mr. Chief Justice Fuller.

Nancy A. Waag and Jacob C. Waag. vs. William L. Hyde et al. Appellants. Appeal from the Circuit Court of the United States for the District of Indiana.

260.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

August Crum, Trustee of		Appeal from the
J. and J. Stein and Co.		Circuit Court of
243.	vs. Appellant.	the United States
Leander J. S. Curry and		for the Southern
Robley D. Adams.		District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit

Court with directions to remand the cause to the State Courts.

per Mr. Chief Justice Fuller.

Edward Mackall et al. Appellants. The argument of this
1591 v. cause was continued
Brooke Mackall Jr. et al. by Mr. J. C. S. Blackburn,
of counsel for the appellees, and concluded by Mr. L. L. Hunkle, of counsel for the appellants.

The United States. Complainant. The argument of this
v. cause was commenced by Mr. J. G. Phillips, of counsel for the
The State of North Carolina. plaintiff, continued by Mr. L. L. Ryan and Mr. Theodore G. Davidson, of counsel for the defendant and concluded by Mr. Attorney General Miller of counsel for the plaintiff.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April, 3d. 1890.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John Marshall Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry St. George Tucker it is ordered that James Brumgardner, Esquire, of Hamilton, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

leaf by Mr. J. C. Spooner it is ordered that James G. Flanders, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of Ed. Miles.
41. Original. ——— Petitioner

This case was submitted to the consideration of the Court on the petition, and on a printed argument by Mr. Assistant Attorney General Maury, of counsel for the respondent.

The Lake Shore & Michigan Southern Railway Company.
267 vs. Pff. in Error.
Scofield, Shurmer & Teagle.

In Error to the Supreme Court of the State of Ohio.

This cause having been called for hearing in its regular order, and the authority of counsel for the plaintiff in error to dismiss this cause having been filed, it is, therefore, in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause

be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Board of County Commissioners of the County of Leavenworth.

257. vs. Appellant.

The Chicago, Rock Island & Pacific Railway Co. et al.

This cause was argued by Mr. J. W. Flower & Mr. S. S. Gregory of counsel for the appellant, and Mr. Thomas G. Witthrow of counsel for the appellees.

(Mr. Chief Justice Fuller and Mr. Justice Brown did not sit during the argument of this cause.)

The Bank of Lewisburg.

644 vs. Appellant.

Hugh W. Steffey & James Baumgardner Jr. Trustee.

Mr. James Baumgardner Jr. of counsel, suggested the death of Hugh W. Steffey, one of the appellees herein, and moved the Court that the cause proceed in the name of James Baumgardner Jr. as surviving trustee, Whereupon, It is now here ordered by the Court that this cause proceed in the name of James Baumgardner Jr.

surviving trustee, as the party appellee in this cause.

Sylvester H. Kneeland.
252 vs. Appellant.
The American Loan & Trust Company of Boston et al.

and

Sylvester H. Kneeland.
1537 vs. Appellant.
George William Ballou, Trustee.

The argument of these cases was commenced by Mr. John W. Butler of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 7th, 1890

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. W. Cockrell it is ordered that Samuel P. Sparks Esquire of Warrensburg, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. J. C. Spooner it is ordered that C. W. Waters, Esquire, of Beloit, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. W. Keller it is ordered that Robert W. Steele, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. L. Burdett it is ordered that Thomas A. Connolly and Franklin A. Hough, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert G. Hill it is ordered that A. B. Lamson, Esquire, of Paris, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. L. Gregory it is ordered that William M. Boyle, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. R. A. Ayres it is ordered that William P. Shea, Esquire, of Bristol, States of Virginia and Tennessee be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. W. Pickle it is ordered that W. D. Haynes, Esquire, of Bristol, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. D. Hyde it is ordered that Thomas J. Gargan, Esquire, of Boston, State of Massachusetts, be admitted to practice as

an attorney and counsellor of this Court and he was sworn accordingly.

227 Brown, Bonnell & Company vs. The Lake Superior Iron Company, The Jackson Iron Company and The Importers & Traders National Bank of the City of New York. — Appellants. — Appeal from the Circuit Court of the United for the Northern District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Ohio

per Mr. Justice Brewer.

W. W. Wheeler, W. W. Boral, J. Winters, William R. Cox, et al.

vs. Appellants

J. C. Floyd, Elizabeth H. Payton, Lucinda A. Walker et al.

Appeal from the Circuit Court of the United States for the Southern District of Illinois.

1171

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Lamar.

Henry S. Little, Receiver of the Central Railroad Company of New Jersey,

vs. Plff. in Error.

Samuel D. Bowers, Comptroller of the City of Elizabeth: vs The City of Elizabeth.

In Error to the Court of Errors & Appeals of the State of New Jersey.

1174

This cause came on to be heard on the trans-

cript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Lamar

Isabella Lee, by her next friend, Gedeon Lee — Appeal from the Circuit Court of the United
(1418) vs. Appellant. — States for the District
Richard W. Simpson. — of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Ezekiel Giles, L. C. Burr and Hiland H. Wheeler. vs. Samuel W. Little, D. B. Alexander, A. P. S. Stewart et al

1384 Pffs. in Error.

In Error to the Supreme Court of the State of Nebraska

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray

John H. Mendenhall. vs. Clark W. Hall and S. O. Hall, Widow and Administratrix of Charles G. Hall, deceased

158. Appellant.

Appeal from the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisi-

case, and now argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed to the extent indicated in the opinion of this Court, with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree recognizing and establishing the mortgage of December 24, 1875 as against Clark H. Hall and the succession of Charles E. Hall, and as giving a lien in behalf of the plaintiff superior and paramount to any right which the succession of Charles E. Hall has in the mortgaged property by virtue of the sale for taxes and the Sheriff's deed to him, and ordering a sale of the mortgaged property to satisfy the balance due the plaintiff upon the notes given by Clark H. Hall.

per Mr. Justice Harlan.

Henry W. Kingsbury
vs. Appellant.
Simon B. Buckner, Jane C. Kingsbury, John J. D. Kingsbury, Corydon Beckwith & Howard Wanchese, Administrator of Ambrose E. Burnside, deceased.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

176

Monday, April, 7th, 1890. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

(Mr. Chief Justice Fuller took no part in the consideration or decision of this case).

The Home Insurance Company of New York. vs. Pff. in Error. The People of the State of New York.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a remittur from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by

this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Dissenting:
Mr. Justice Miller and
Mr. Justice Harlan.

519. Henry P. Thomas vs. Peff in Error. James A Murray, Silas G. King and Marcus Daly. In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

520. Jefferson Mc. Cauley. ... In Error to the Su-
... vs. ... Deft. in Error ... preme Court of the
James A. Murray. ... Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

521. Benjamin C. Kingsbury ... In Error to the
... vs. ... Deft. in Error. ... Supreme Court
James A. Murray. Silas D. ... of the Territory
King & Marcus Daly. ... of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and on a motion to

dismiss, which was argued by Counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

The Pacific National Bank of Boston
vs. Plff. in Error.
542 Mary J. Eaton.
George L. Thayer, Trustee
vs. Plff. in Error.
604 Peter Butler, Receiver etc.
And
Peter Butler, Receiver etc.
vs. Plff. in Error.
605 Mary J. Eaton.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same, is hereby, denied.

per Mr. Chief Justice Fuller.

The United States
vs. Appellant
1114 The Central Pacific Railroad Co.
And

On consideration of the motion to advance this cause, It is now here

1149 The Central Pacific Railroad Co. vs. The United States. Appellant

ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of November next.

per Mr. Chief Justice Fuller.

1152 The Louisville & Nashville Railroad Company. vs. Eddy Woodson, a minor by his next friend, W. H. Lea. Plff. in Error.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and on motion to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in

the Courts of the State of Tennessee.

per Mr. Chief Justice Fuller.

1399 William H. Blount. vs. Pff. in Error. Julius H. Walker, as Executor & Trustee of the will of Sarah J. Harris, deceased & Caroline S. Walker

In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

1572 The United States ex rel: Charles R. Miller vs. Pff. in Error. Green B. Raum, Commissioner of Pensions.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. G. Bigelow.

of counsel for the plaintiff in error, and Mr. Assistant Attorney General Maury, of counsel for the defendant in error

Benjamin E. Cole et al. Executors etc.
744 vs. Pffs. in Error.
Richard Cunningham and Henry Polman, Jr. Assignees etc.

On motion of Mr. O. D. Barrett, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

The State of Virginia.
7 Original vs. Complainant.
The State of Tennessee.

On motion of Mr. A. S. Colyer, of counsel for the defendant, leave is hereby granted to file a stipulation to amend the bill of complaint herein, and the time within which to file the answer of the defendant is extended three days.

Charles Palliser.
538 vs. Appellant.
The United States et al.

Mr. Roger Foster of counsel for the appellant submitted to the consideration of

the Court a motion to advance this cause.

Ex parte: In the matter of Charles Pallister. Petitioner. Mr. Roger Foster of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus.

79. The Illinois Central R.R. Co. et al. vs. Peffo. in Error. Willard Bosworth et al. On motion of Mr. A.B. Browne in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

252 Sylvester H. Kimball vs Appellant. The American Loan & Trust Company of Boston et al. And 1537. Sylvester H. Kimball. vs. Appellant. George William Bates, Trustee. On motion of Mr. James L. High, of counsel for the appellee, It is ordered by the Court that three counsel be, and they are hereby, allowed to argue this case.

on behalf of the appellees.

Sylvester H. Kneeland.
252 — vs. — Appellant.
The American Loan & Trust Company of Boston et al.

Sylvester H. Kneeland.
537 — vs. — Appellant.
George William Batton, Trustee.

The argument of these cases was continued by Mr. John W. Butler, of counsel for the appellant, & Mr. James L. Hughes. Mr. Binford Wilson and Mr. Henry R. Hyde, of counsel for the appellees, and Mr. Robert G. Ingersoll, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, April 5th, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Hoar it is ordered that Lelia Robinson Sawtelle, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this be-

Ivey by Mr. Ida M. Butterworth it is ordered that Emma M. Gilbert of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. Edmunds it is ordered that Charles Edwin Countryman, Esquire, of Albany, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert S. Taylor it is ordered that William C. Whitbeck, Esquire of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Citizens Street Railway Company of Sioux Falls, Dak. Appellant
vs.
Wiley Jones et al

On motion of Mr. Eppa Hunton in behalf of appellant, leave is hereby granted

The First National Bank of Pine Bluffs, Ark. et al.
1186 vs. Pffs. in Error.
The Hanover National Bank of the City of New York.

to withdraw the transcripts of the records in these cases for the purpose of having the proper certificate of the Clerk of the Circuit Court attached to them.

Ex parte: In the matter of Jacob Baig
11 Original ..... Petitioner

Mr. R. D. Benedict of counsel for the respondent submitted to the consideration of the Court a motion for an order on the petitioner to show cause before this Court on the next motion day why certain certified copies of documents from the State Department should not be submitted for the consideration of the Court in the determination of this case

Charles A. Davenport
268 vs. Pff in Error.
The Town of Paris.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. George A. Sanders of counsel for the plaintiff in error and Mr. R. C. Brown

of counsel for the defendant in Error.

Sylvester H. Kneeland.
352 vs. Appellant.
The American Loan & Trust Company of Boston et al.

and

Sylvester H. Kneeland.
1897 vs. Appellant.
George William Ballou. Trustee.

The argument of these cases was concluded by Mr. Robert G. Ingersoll of counsel for the appellant.

The Cornell University et al.
224 vs. Plffs. in Error.
Willard Fiske et al.

On motion of Mr. George F. Edmunds of counsel for the plaintiffs in error, It is ordered by the Court that counsel on each side be allowed one hour additional time for the argument of this cause.

The Cornell University et al
224 vs. Plffs. in Error.
Willard Fiske et al.

The argument of this cause was commenced by Mr. Edwin Countryman of counsel for the plaintiffs in error, & continued by Mr. Erskine Conover of counsel for the defendants in error

Wednesday, April 9th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. S. Burdett it is ordered that William W. Dewhurst, Esquire, of St. Augustine, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

tion by Mr. W. O. Haynes it is ordered that W. W. Baxter, Esquire, of Bristol, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

272. John C. Burroughs et al vs. The Union Mutual Life Insurance Company of Maine. Appellants. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

281. William Seusenderfer. vs. Samuel Swisher. Plff. in Error. Mr. Samuel P. Sparks of counsel, suggested the death of Samuel Swisher, the defendant in error herein, and moved the Court

to make J. C. Swisher, Executor of Samuel Swisher, deceased, and Sarah J. Pate, Margaret A. Caldwell, Isaac Swisher, James M. Swisher, Samuel C. Swisher, John C. Swisher, Frances M. Swisher, Alice A. Gordon, Annie Belle Swisher, Samuel Swisher and John Swisher, heirs and devisees of Samuel Swisher, deceased, the parties defendants in error in this cause, per stipulation of counsel, thereupon, It is now here ordered by the Court that the said J. C. Swisher, Executor of Samuel Swisher, deceased, and Sarah J. Pate, Margaret A. Caldwell, Isaac Swisher, James M. Swisher, Samuel C. Swisher, John C. Swisher, Frances M. Swisher, Alice A. Gordon, Annie Belle Swisher, Samuel Swisher and John Swisher, heirs and devisees of Samuel Swisher, deceased, be, and they are hereby made the parties defendants in error in this cause.

1234 The Cornell University et al. vs. Willard Fiske et al. Pltf. in Error.

The argument of this cause was continued by Mr. Enoch Totten, Mr. I. F. Gregory and Mr. George F. Comstock, of counsel for the defendants in error, and concluded by Mr. George F. Edmunds of counsel for the plaintiffs in error.

The State of Indiana. Complainant.
vs. Original
The State of Kentucky.

The argument of this cause was commenced by Mr. A H. Snow, of counsel for the complainant.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday April 10th 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this today by Mr. H. M. Fuller it is ordered that Charles A. Cole, Esquire, of Ashland, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

273	John H. Harding vs. W. W. Woodcock. Pff. in Error.	Ordered by the Court that this cause be, & the same is hereby, continued until the next Term.

608	The United States: ex rel Sylvanus C. Boynton vs. James G. Blaine, Secretary of State. Pff. in Error.	Mr. George Richmond Curtis, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

2.	The State of Indiana. Original — vs. — Complainant The State of Kentucky.	The argument of this cause was continued by Mr. A. H. Snow, of counsel for the complainant, and Mr. P. W. Hardin and Mr. J. Proctor Knott, of counsel for the defendant and concluded by Mr. Joseph E. McDonald of counsel for the complainant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April 11th, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Le Roy Parker, Esquire, of Buffalo, State of New York, and Everett J. Waring, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered that John Sidney Webb, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

516 Edward Smith Plff. in Error. vs The United States
597 Henry Jones. " " " " " " " " " "
598 George S. Key. " " " " " " " " " "

On motion of Mr. Attorney General Miller, It is ordered by the Court that these cases be, & they are hereby, advanced and assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

1121 William O. Mc. Key. Plff. in Error. vs. The Village of Hyde Park.

On motion of Mr. James Coleman, in behalf of counsel, leave is here by granted the Clerk to issue the mandate in this cause.

The Vicksburg, Shreveport & Pacific Railroad Co.
276 vs. Pff. in Error.
Robert H. Smith et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward Colston, of counsel for the plaintiff in error, and Mr. O. H. Leonard, of counsel for the defendants in error.

The Commercial Manufacturing Company, (consolidated) et al.
253 vs. Appellants.
The Fairbank Canning Co.

This cause was argued by Mr. Lysander Hill, of counsel for the appellee and submitted on printed arguments by Mr. Charles N. Offield, Mr. T. K. Lincoln and Mr. B. F. Thurston, of counsel for the appellants.

The Des Moines & Fort Dodge Railroad Company.
256 vs. Appellant.
The Wabash, St. Louis & Pacific Railway Co. et al.

This cause was argued by Mr. Charles E. Whitehead, of counsel for the appellant and Mr. Wells H. Blodgett and Mr. William Rush Taggart, of counsel for

the appellees.

257 Ferdinand de St. Germain vs. Emanuel Brunswick. Appellant.

This cause was argued by Mr. W. P. Butler, of counsel for the appellee and submitted on a printed argument by Mr. M. A. Wheaton, of counsel for the appellant.

261 The Yale Lock Manufacturing Co. et al. vs. The Berkshire National Bank & Jos. L. Hall. Appellants.

And

262 The Berkshire National Bank & Jos. L. Hall. vs. The Yale Lock Manufacturing Co. et al. Appellants.

No. 261 Cochran of counsel, suggested the death of Joseph L. Hall, one of the parties in these cases, and moved the Court to make Sarah J. Hall Edward C. Hall and Richard S. Pullen, Executors and Trustees under the last will and testament of the said Joseph L. Hall, parties appellees in No. 261 and parties appellants in No. 262. Whereupon, It is now here ordered by the Court that the said Sarah J. Hall, Edward C. Hall and Richard S. Pullen, Executors

and Trustees under the last will and Testament of Joseph L. Hall, deceased, be, and they are hereby, made parties appellees in case No. 261 and parties appellants in case No. 262.

The Yale Lock Manufacturing Co. et al.
261 vs. Appellants.
The Berkshire National Bank et al.

and

The Berkshire National Bank et al.
262 vs. Appellants.
The Yale Lock Manufacturing Co. et al.

The argument of these cases was commenced by Mr. George Pickney Curtis, of counsel for The Yale Lock Manufacturing Co. et al.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, April 11th, 1870

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justice
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. Taylor Scott it is ordered that Robert M. Hughes and William H. White, Esquires of Norfolk, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this be-

duly by Mr. Alexander Pope Humphrey it is ordered that John Barret, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

213 John S. Jencks, William H. Jencks and Charles Rhoades, Executors of Evan Randolph, dec'd. vs. The Lonsdale Company, Corbam P. Bowen, Assignee &c. Cornelius S. Sweetland, Trustee & Assignee of The A. & W. Sprague Manufacturing Company et al.

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer

(Mr. Justice Blatchford did not take any part in the decision of this cause).

Julius Freiberg, J. Walter Freiberg, Joseph L. Workum, Maurice J. Freiberg & Ezekiel L. Workum, composing the firm of Freiberg & Workum		Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.
228.	vs.	
Joseph Kraffus, Lehman Mayer and Abraham Erman.	Appellants	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Board of County Commissioners of the County of Leavenworth,		Appeal from the Circuit Court of the United States for the Western District of Missouri.
251	vs.	
The Chicago, Rock Island & Pacific Railway Company et al.	Appellants.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

(Mr. Chief Justice Fuller and Mr. Justice Brewer did not sit in this case or take any part in its decision).

The County of Upshur. Appeal from the
West Virginia. Circuit Court of
81. vs. Appellant, the United States
(Benjamin Rich, William G. for the District
Reynolds & Thomas H. Jackson. of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said

Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand the same to the State Court from which it was removed.

per Mr. Justice Bradley.

Thomas Cunningham,	Appeal from the
Sheriff of the County of	Circuit Court of the
San Joaquin, California.	United States for the
1472 vs. Appellant.	Northern District
David Temple	of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

(Mr. Justice Field did not sit in this case & take any part in its decision)

Dissenting:
Mr. Justice Lamar &
Mr. Chief Justice Fuller.

Ex parte: In the matter of Jacob Baiz. Petitioner. On consideration of the motion of Mr. R. O. Benedict of counsel for the respondent herein, It is now here ordered by the Court that the petitioner, Jacob Baiz, show cause before this Court on Monday, the 21st day of April, 1890, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why certain certified copies of documents from the Department of State should not be submitted to the consideration of the Court in the determination of this petition.

per Mr Chief Justice Fuller.

Charles Pallister. Appellant. On consideration of the motion to advance this
1538. vs. cause, It is now here
The United States et al. ordered by the Court
that said motion be, and the same is hereby,
granted, and the cause assigned for argument

On Monday April 21st, 1890

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Charles Pallister. Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus, It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

Charles Davenport vs. The Town of Paris. 368 Pff. in Error. In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

George L. Rich		In Error to the Circuit Court of
229.	vs. Pff. in Error.	the United States for the North-
The Town of Mentz.		ern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The United States		On a certificate of div-
654.	vs. Plaintiff.	ision in opinion between
Joseph W. Lacher.		the judges of the Cir-
		cuit Court of the United

States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion

and which were certified to this Court for its opinion agreeably to the act of Congress in such cases made and provided, and were argued by counsel. On consideration whereof, It is the opinion of this Court that the several questions certified must be answered in the affirmative. Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per. Mr. Chief Justice Fuller.

---Order.---

The call of the docket will not be continued after Friday, May 2nd, and on Monday 5th inst. after the announcement of opinions and the hearing of motions the Court will adjourn to Monday, May, 19th, on which day it will adjourn for the term.

Per. Mr. Chief Justice Fuller.

John A. Brimmer Jr. Sergeant etc. vs. Plff. in Error. William Rebucan.

Mr. R. Taylor Scott, of counsel for the plaintiff in error submitted to the consideration of the Court a motion to ad-

The United States.
1326 vs. Appellant.
The Union Pacific Railway Company et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Samuel Shellabarger and Mr. J. St. Wilson in support of the same and Mr. Solicitor General Taft, in opposition thereto.

G. C. Howes.
1557 vs. Pff. in Error.
Levi M. Kellogg et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. H. D. Barclay, in support of the same, and Mr. Thomas Mitchell, in opposition thereto.

The Yale Lock Manufacturing Company et al.
261. vs. Appellants
The Berkshire National Bank et al.
—and—
The Berkshire National Bank et al.
262 vs. Appellants.
The Yale Lock Manufacturing Co et al

The argument of this cases was continued by Mr. George Richmon

Curtis, of counsel for the First Cook Manufacturing Co. et al. and Mr. H. C. Cochran of counsel for The Berkshire National Bank et al.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, April, 15th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr William B. Webb it is ordered that Henry Randall Webb Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Yale Lock Manufacturing Co. et al.
vs. Appellants
The Berkshire National Bank et al.

and

The Berkshire National Bank et al.
544 vs. Appellants.
The Yale Lock Manufacturing Co. et al.

The argument of this cases was continued by Mr. W. C Cochran of counsel for The Berkshire National Bank et al. and concluded by Mr. Edmund Wetmore, of counsel for The Yale Lock Manufacturing Co. et al.

Ex parte: In the matter of
Charles Mason Lane.
2. Original. ——— Petitioner

This case was argued by Mr. H. J. Way of counsel for the petitioner and Mr. Solicitor General Taft, of counsel for the respondent.

Charles Pallister.
1538. ——— vs. Appellant.
The United States et al.

On motion of Mr. Solicitor General Taft of counsel for the appellees, It is ordered by the Court that this cause be, and the same

is hereby re-assigned for argument on Monday April 28th, instant.

2644 Columbus Draw. vs. Plff. in Error. Moore S. Falls & Fannie M. Rich, heirs at law of Maria Ritchie, deceased.

The argument of this cause was commenced by Mr. S. R. Bond, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Wednesday, April, 16th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller,
Joseph P. Bradley,
John M. Harlan, Associate
Horace Gray, Justices
Samuel Blatchford,
Lucius Q. C. Lamar,
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. T. Wallis it is ordered that E. Calvin Williams, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr R. S. Taylor it is ordered that Brown

as L. Ellison, Esquire, of Ft. Wayne, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Columbus Bank
264 vs. Pelf in Error.
Moore S. Dalls & Daniel W. Ruch, heirs at law of Maria Ritchie, deceased.

The argument of this cause was continued by Mr. L.R. Bond, of counsel for the plaintiff in error, and Mr. Geo. G. Appleby, of counsel for the defendants in error, and concluded by Mr F. P. Hanson, of counsel for the plaintiff in error.

Walton Farrar, Administrator of Alfred B. Pettway, deceased, and Thomas Rigby.
266 vs. Appellants.
John Churchill Trustee et al.
And
John Churchill, Trustee et al.
603 vs. Appellants.
Walton Farrar, Admr. etc.

Mr. Alexander Pope Humphrey of counsel, suggested the death of Thomas Rigby, one of the parties hereto, and moved the Court to make Mary Ella

Beck a party in place of said Thomas Rigby, deceased, pursuant to stipulation of counsel. Whereupon, It is therefore ordered by the Court that the said Mary Ella Beck be, and she is hereby made a party in these cases pursuant to said stipulation.

266. Walton Farrar, Admr. et al. vs. Appellants. John Churchill, Trustee et al.
And
608 John Churchill, Trustee et al vs. Appellants. Walton Farrar, Admr. et al.

These cases were argued by Mr. Alexander Pope Humphrey, of counsel for Churchill, Trustee et al. and submitted on a printed argument by Mr. W. L. Nugent and Mr. W. Hallett Phillips of counsel for Farrar, Admr. et al.

271. William Ferguson et al. vs. Appellants. George G. Dent et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Société Concorde et Agricole
des Etats Unis.
2744 vs. Pffs. in Error.
Sam H. Milliken

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John D. Harcourt of counsel for the plaintiff in error, and Mr. A. S. Latham, of counsel for the defendant in error.

Mrs. Elizabeth Norman et al.
2745 vs. Appellants
John A. Buckner et al.

The argument of this cause was commenced by Mr. Wade R. Young, of counsel for the appellants, and continued by Mr. Charles J. Boatner, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 17th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar
David J. Brewer.
John M. Wright, Esquire, Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Charles Marshall it is ordered that Thomas B. Kerr, Esquire, of Pittsburgh, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

283. James Milligan et al. vs. James C. Savery. Pffs. in Error. In Error to the Supreme Court of the Territory of Montana.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, Thereupon, in pursuance of the 10th. rule of this Court, Now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

275. Mrs. Elizabeth Norman et al. vs. John A. Buckner et al. Appellants. The argument of this cause was continued by Mr. Charles J. Boatner, of counsel for the appellees, and concluded by Mr. Wade R. Young, of counsel for the appellants.

177 The New England Mortgage Security Company. vs. Appellant. J. F. Groves, Sheriff etc. et al.

Ordered by the Court that this cause be, and the same is hereby passed until the next Term.

178 William C. West. vs. Plff. in Error. Johnson U. Camden.

The argument of this cause was commenced by Mr. E. Calvin Williams, of counsel for the plaintiff in error, and continued by Mr. Thomas W. Hall and Mr. Charles Marshall, of counsel for the defendant in error, and Mr. S. Beckett Wallis, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April, 18th, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John B. Kenna it is ordered that A. W. Reynolds, Esquire, of Princeton, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Friday, April, 18th, 1890. Continued.

The McCormick Harvesting Machine Company
vs. Plff. in Error
Charles H. Matthews.

1402. On motion of Mr. J. L. Webster, on behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

William P. West
vs. Plff. in Error.
Johnson N. Camden

278 The argument of this cause was concluded by Mr. J. Bancks Walker on behalf of counsel for the plaintiff in error

Francis Beatty et al.
vs. Plffs in Error.
Georgia Benton, Executrix etc.

279. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Salem Hutcheson, of counsel for the plaintiffs in error. No counsel appeared for the defendant in error

Sallie O. Hartraupt, Admx. of
John G. Hartraupt, dec'd.
vs. Plff. in Error.
Meyer and Dickinson.

148. This cause was argued by Mr. Assistant Attorney General

Wawy, of counsel for the plaintiff in error, and Mr. Frank P. Prichard, of counsel for the defendants in error.

282 The United States vs. Pet. in Error. Luke Voorhies.

This cause was argued by Mr. Assistant Attorney General Wawy, of counsel for the plaintiff in error, and Mr. John L. Webster, of counsel for the defendant in error.

284 Joseph Lodge et al. vs. Appellants. Amanda Duell.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. S. Burdett, of counsel for the appellants, and Mr. James S. Brownson, Jr. of counsel for the appellee.

285 John H. Bass. vs. Appellant. George Wilmuns.

The argument of this cause was commenced by Mr. R. L. Taylor, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday April 21st, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Thomas W. Potter, Chief Justice
Samuel R. Potter
Stephen J. Pearce
Joseph P. Bradley.
John M. Harlan Associate
Horace Gray Justices
Samuel Blatchford
Lucius Q. C. Lamar
David J. Brewer.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Chester H. Krum it is ordered that Wilmarth H. Thurston, Esquire, of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

ordered by the Court that J. W. McCormick, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr John Goode it is ordered that John W. Finley, Esquire, of Sherman, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Leonard Mackall, Benjamin Mackall, Dow Barton Mackall, Thomas Owens & Louise Owens.		Appeal from the Supreme Court of the District of Columbia.
159.	vs. Appellants	
Brooke Mackall Jr. Robert Christy, and his wife, Catherine Christy.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is

now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

The Commercial Manufacturing Company, Consolidated, and The National Dairy Company. vs. The Fairbank Canning Company. Appellants

Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, and judged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Strong.

The Vicksburg, Shreveport & Pacific Railroad Company.		In Error to the Circuit
276	vs. Pff. in Error.	Court of the
Robert W. Smith, Elizabeth A. Smith, wife of Warren Duvall, Elizabeth W. Smith, William L. Smith & John S. Smith.		United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Blatchford.

The United States ex rel. Charles R. Miller		In Error to the Supreme Court
1572	vs. Pff. in Error.	of the District
Green B. Raum, Commissioner of Pensions.		of Columbia.

This cause came on to be heard on the transcript

of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Bradley.

The United States.
326. vs. Appellant.
The Union Pacific Railway Company et al.

On consideration of the motion to dismiss in this cause and of the argument of counsel thereupon, had, as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

G. C. Howes.
357 vs. Pff. in Error.
Levi M. Kellogg, The Willamette Steam Mills, Lumbering & Manufacturing Company, Charles J. Maitre & John C. Hansen, co-partners under the firm name of Maitre and Hansen, E. L. Power, The California Door Company, [illegible]

In Error to the Supreme Court of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

1609. The United States ex rel: J. C. Boyd vs. James G. Blaine, Secretary of State. Pff. in Error.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1608. John O. Brimmer Jr. Sergeant &c. vs. William Rehman. Pff. in Error.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

577 The Central Trust Company of New York. vs. The Grant Locomotive Works and The American Loan & Trust Company. Appellants. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

578 The Dayton, Fort Wayne and Chicago Railroad Company. vs. The Grant Locomotive Works and The American Loan and Trust Company. Appellant. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Central Trust Company of New York.		Appeal from the Circuit Court of the United States for the Southern District of Ohio.
1279.	vs. Appellant	
R. J. Grant.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The Dayton, Fort Wayne & Chicago Railroad Company
to. Appellant
A. L. Grant.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

The Central Trust Company of New York
to. Appellant.
The Grant Locomotive Works, and The American Loan and Trust Company.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of

Ohio, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The United Trust Company of New York.		Appeal from the Circuit Court of the United States for the Southern District of Ohio.
1282	vs. Appellant.	
R. S. Grant.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

977. The United States vs. Richard S. Tuttle. Pff. in Error. In Error to the District Court of the United States for the Northern District of Illinois.

This cause having been called to the attention of the Court by Mr. Attorney General Miller of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, therefore, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

978. George W. White vs. Ira P. Baldwin et al. Appellant. Mr. F. J. Lippitt, of counsel for the appellees, suggested the death of George W. White, the appellant in this cause, and moved the Court for an order, under the 15th. rule, to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said George W. White, deceased, as aforesaid, shall voluntarily become parties within the first ten days

of the ensuing term of this Court the appellee shall be entitled to have the appeal dismissed. Provided, however, That a copy of this order shall be printed in some newspaper of general circulation within the State of California for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

1307 Thomas Ryan. vs. Pff. in Error. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Michael Brennan, Mr. Isaac Marston & Mr. J. B. Donnelly, of counsel for the plaintiff in error, and Mr. Solicitor General Taft, of counsel for the defendant in error.

912 Byron M. Smith. vs. Appellant. Artemas Gale et al. Mr. A. G. Safford, of counsel for the appellee, suggested the death of Byron M. Smith, the appellant in this cause, and moved the Court for an order under the 67th rule, to make the proper representatives parties. Whereupon, It is now

ture ordered by the Court that unless the proper representatives of the said Byron M. Smith, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court the appellee shall be entitled to have the appeal dismissed: Provided however That a copy of this order shall be published in some newspaper of general circulation within the State of South Dakota for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

Amelia A. Gunther et al. Executors etc. vs. The Liverpool & London & Globe Insurance Company.

On motion of Mr. S. D. Clendenin, on behalf of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Ex parte: In the matter of Jacob Baiz. Original. Petitioner

Granted arguments on the rule to show cause why certain

documents from the Department of State should not be considered by the Court in the determination of this case were submitted by Mr. Joseph H. Choate and Mr. W. H. Carlton of counsel for the petitioner and Mr. R. D. Benedict of counsel for the respondent.

John Glenn, Trustee etc.		The motions for
30.	vs. Plff. in Error.	writs of certiorari
John E. Liggitt.		in these cases were
	and	argued by Mr. Charles Marshall, in
John Glenn, Trustee etc.		support of the
307.	vs. Plff. in Error.	same, and Mr.
John J. Dausig and George		George W. Dausig, in opposition

W. Dausig, Executors et al.

thereto. Whereupon, It is now here ordered by the Court that the writs of certiorari be, and they are hereby, granted as prayed.

The Mutual Reserve Fund		In Error to the Cir-
Life Association.		cuit Court of the Un-
873.	vs. Plff. in Error.	ited States for the
Mamie Keary et al.		Eastern District of
		Missouri.

This cause having been called to the attention of the Court by Mr. J. J. Henkle, on behalf of counsel, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed & is, therefore in pursuance of said motion now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Louis Krager et ux. vs. Pitts. in Error. John G. Jenkins.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr W. Hallett Phillips, in support of the same, and Mr Chas H. Winning for L & Co and by Mr A. Wootten in opposition thereto.

George Cornwell. vs. Pltff in Error The State of Virginia.

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause having been called for hearing in its regular order and submitted by counsel

for the plaintiff in error to dismiss this cause, having been filed. It is, therefore, in pursuance of said authority, now here ordered & adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

C. W. Newton and M. D. Newton, his wife vs. The State of Virginia. — Pffs. in Error. — In Error to the Supreme Court of Appeals of the State of Virginia.

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This cause having been called for hearing in its regular order, and counsel for the plaintiffs in error to dismiss this cause having been filed, It is, therefore, in pursuance of said authority, now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

Nathaniel Burruss vs. The State of Virginia. — Pff. in Error. — In Error to the Supreme Court of Appeals of the State of Virginia.

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The cause having been called for hearing in its regular order and authority of counsel for the plaintiff in error to dismiss the cause having been filed, It is therefore in pursuance of said authority hereto here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs

per Mr Chief Justice Fuller

Cotton C Huntington		The motion to dismiss
100	vs	or affirm in this case
Elizabeth C Attrill		was submitted to the

consideration of the Court on the record and printed arguments by Mr. J. C. Wells and Mr. W. D. Foster in support of the same, and Mr. A. H. Brown, Mr. E. L. D. Boss and Mr. H. C. Wood jr in opposition thereto

John H. Ross		The argument of this
270	vs	cause was continued by
Thomas Williams		Mr. L. Mc Lloyd of counsel for the appellee and concluded by Mr. A. C. Boyden of counsel for the appellant

	William Lemsenderfer.	The argument of this
280.	vs. Pff. in Error.	cause was commenced
	Samuel A. Kemp et al.	by Mr. Samuel
		P. Sparks, of counsel

for the plaintiff in error, and continued by Mr. George P. B. Jackson, of counsel for the defendants in error

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday April 22d 1879

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Edward G. Ryan Chief Justice
Samuel D. Hastings
Orsamus Cole
Joseph C. Dowling
John B. Cameron Associate
Byron Paine Justices
Samuel Whiton
Lucius S. Orton
David J. Brown
John M. Wright Secretary pro tem
James H. Ole Nancy Clerk

Proclamation being made the Court is opened

On motion Lord moves to the Court as this behalf by Mr. J. C. Spooner it is ordered that George W. Burnett Esquire of Oshkosh, State of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion Lord moves to the Court in this

5150

Delay by Mr. W. Porter Phillips it is ordered that E. P. Young, Esquire, of Marshall, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

E. G. Packer,

vs. Pff in Error.

Jake Bird & Frank Bixler.

Mr. W. W. Morrow, of counsel for the defendants in error, moved in open Court the following certificate, to wit;

In the Supreme Court of the State of California

E. G. Packer.

Appellant.

vs. No. 11162.

Jake Bird and Frank Bixler.

Respondents.

I C. H. Spencer, Clerk of the Supreme Court of the State of California, do hereby certify that in a certain cause pending in said Court wherein E. G. Packer was appellant and Jake Bird and Frank Bixler were respondents, a final judgment was rendered by said Supreme Court on the 5th

day of September, 1886, in favor of said respondents and against said appellant. And that on the 1st. day of September, 1887, the said appellant C. F. Packer, sued out a writ of error to said Supreme Court directing to remove said cause to the Supreme Court of the United States. I further certify that the plaintiff in error has not applied to me to certify to a transcript of the record herein.

In witness whereof I have hereunto set my hand and the seal of this Court, this 14th. day of April, 1890.

[Seal] W. D. Stone
Clerk
By Geo. W. Waddell
Deputy Clerk

Moved the Court to docket and dismiss the cause, pursuant to the 9th. rule; and it appearing to the Court that the plaintiff in error has failed to docket this cause within due time and has failed to docket the same as required by the rules of this Court. It is now hereupon ordered, and adjudged by the Court that the writ of error in this cause to the Supreme Court of the State of California be and the same is hereby dismissed and the

missed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court, aforesaid, to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Horace S. Eldredge and Francis Armstrong.
368 vs. Appellants.
The United States

and

Horace S. Eldredge and Francis Armstrong.
369 vs. Appellants
The United States.

Mr. J. M. Wilson, in behalf of counsel for the appellants, suggested the death of Horace S. Eldredge, one of the appellants and moved the Court to make James A. Eldredge, Ben P. Eldredge, Lewis L. Stille, Thomas T. Webber and De Grand Young, Executors of the said Horace S. Eldredge, parties appellants herein. Whereupon, it is now here ordered by the Court that the said James A. Eldredge, Ben P. Eldredge, Lewis L. Stille, Thomas T. Webber and De Grand Young, Executors of Horace S. Eldredge deceased, be, and they are hereby, made parties appellants in these cases.

The Northern Pacific Railroad Company
vs
Jeff M Case
Jacob Austin.

The cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Mc Knight for the Pl'ff in Error Mr. D. H. Maratta and Mr. L. J. Irwin of counsel for the plaintiff in error and Mr. Jo K Turner of counsel for the defendant in error.

William Saunderson
vs
Jeff M Case
Samuel D. Sharp et al.

The argument of this cause was continued by Mr. Wm. Peck Jackson of counsel for the defendants in error and concluded by Mr. Samuel D. Sparks of counsel for the plaintiff in error.

William Saunderson
vs.
Jeff M Case
J. C. Sinclair, Executor et al.

This cause was argued by Mr. Samuel D. Sparks of counsel for the plaintiff in error and Mr. Wm. Peck Jackson of counsel for the defendants in error.

Henry K. Willard, Admr. etc.
286 vs. Pff. in Error.
Mary L. C. Wood, Executrix of
William W. W. Wood, deceased.

Mr. John Sidney Webb, of counsel, suggested the death of Mary L. C. Wood, the appellee in this cause, and moved the Court to make Thomas N. Wood surviving Executor of William W. Wood, deceased, the party appellee herein. Whereupon, It is now here ordered by the Court that the said Thomas N. Wood surviving Executor of William W. W. Wood, deceased, be, and he is hereby, made the party appellee in this cause.

Henry K. Willard, Admr. etc.
286. vs. Pff. in Error.
Thomas N. Wood, surviving
Executor etc.

This cause was argued by Mr. Enoch Totten of counsel for the plaintiff in error, and Mr. John Sidney Webb, of counsel for the defendant in error.

The Michigan Mutual
Life Insurance Co.
287. vs. Pff. in Error
Elizabeth R. Adams.

This cause was argued by Mr. Charles A. Kent, of counsel for the plaintiff in

error, and Mr. W. H. H. Miller, of counsel for the defendant in error.

Herman Boyer
vs Def. in Error
The Schultz Belting Co.

The argument of this cause was commenced by Mr. W. D. Edwards of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April. 23d. 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright. Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. H. M. Teller it is ordered that Joe C. Elwell Esquire, of Pueblo, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Sanderson it is ordered that

William B. Lamberton Esquire of Harrisburg, State of Pennsylvania is admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by the Solicitor General Capt O is ordered that Joseph W O'Hara Esquire of Cincinnati State of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Henrietta C. Keller
vs. Appellant
Isabella W. Ashford. Executrix etc.

On motion of Mr. J. S. Washington, on behalf of counsel, leave is hereby granted the Clerk to issue the

mandate in this cause.

The United States
vs. Appellant.
The Northern Pacific Railroad Company.

On motion of the Solicitor General Capt. It is ordered by the Court that this cause be, and the same is hereby, continued until the next Term.

Max Rosenthal.
300. vs. Appellant.
Kersey Coates, Assignee etc.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Herman Boyer.
288. vs. Piff. in Error.
The Schultz Belting Co.

The argument of this cause was continued by Mr. W. C. Wheaton, of counsel for the plaintiff in error, and Mr. Chester A. Krum and Mr. Walworth A. Wheaton, of counsel for the defendant in error, and concluded by Mr. Wheaton, of counsel for the plaintiff in error.

The Texas and Pacific Railway Company et al.
295. vs. Appellants
The City of Marshall.
And
The City of Marshall.
1105. vs. Appellant.
The Texas and Pacific Railway Company et al.

The argument of these cases was commenced by Mr. W. Hallett Phillips of counsel for the City of Marshall.

Proclamation being made the Court is adjourned

Thursday, April 24th, 1890.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. H. C. Coughlan it is ordered that Richard Bayne, Esquire, of Colusa, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

	The Clark Thread Company.	On motion of Mr.
297	vs. Appellants.	Edmund Wetmore
	The Williamantic Linen Co. et al.	of counsel for the
		appellant, It is

ordered by the Court that this cause be, and the same is hereby, continued until the next term.

	Theodore H. Butler et al.	Appeal from the Circuit
302	vs. Appellants.	Court of the United States
	George Steckel et al.	for the Northern District
		of Illinois.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, and in pursuance of the 10th rule of the Court, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

Dismissed April 24, 1890. Rescinded and reinstated.

per Mr. Chief Justice Fuller.

	Orestes S. Brown et al.	Appeal from the Su-
303	vs. Appellants.	preme Court of the
	Julia A. Brown et al.	Territory of Dakota.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is, thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of South Dakota.

per Mr. Chief Justice Fuller.

Isaac W. Birdseye et al. Appellants. Appeal from the Circuit Court
vs. of the United States for the
Solomon Heiner et al. Southern District of New York.

This cause having been called for hearing in its regular order, and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation now here ordered, adjudged and decreed by this Court. That this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The Texas & Pacific Railway Company et al.
293 vs. Appellants.
The City of Marshall.

And

The City of Marshall.
1105 vs. Appellants.
The Texas & Pacific Railway Company et al.

The argument of these cases was continued by Mr. W. Hallett Phillips, of counsel for the City of Marshall and Mr. John C. Kirlow, of counsel for the Texas and Pacific Railway Company et al. and concluded by Mr. A. H. Garland, of counsel for the City of Marshall.

Theodore H. Butler et al.
302 vs. Appellants.
George Steckel et al.

Mr. W. H. Doolittle, of counsel for the appellants suggested the death of George W. Barhart, one of the appellants herein and moved the Court to rescind and annul the decree of dismissal entered herein and to continue the cause until the next term. Whereupon, It is now here ordered by the Court that the decree of dismissal entered in this cause on this day be, and the same is hereby, rescinded and annulled and the

cause restored to the docket and continued un
til the next term.

The Norfolk & Western Rail-
road Company.
vs. Pet. in Error
The Commonwealth of Penn-
sylvania.

The argument
of this cause
was commen
ced by Mr. W.
E. Olmsted, of
counsel for the

plaintiff in error and continued by Mr. John
G. Sanderson, of counsel for the defendant in
error.

Proclamation being made the Court is adjourn
ed until to-morrow at ten o'clock.

Friday, April, 25th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray Justices
Samuel Blatchford.
Lucius L. C. Lamar
David J. Brewer
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered that Lilburn T. Smith, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court. and he was sworn accordingly.

On motion first made to the Court in this be-

ing by Mr. W. W. Morrow it is ordered that R. G. Phillips. Esquire, of Oakland, State of California, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

J. G. Packer.
vs. Pff. in Error.
Jake Bird & Frank Bixler.

On motion of Mr. W. W. Morrow, of counsel for the defendants in error, It is now here ordered by the Court that the order entered herein by this Court on the 22d. day of April, instant dismissing and dismissing the writ of error in this cause be, and the same is hereby, rescinded and annulled.

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The Louisville & Nashville Railroad Company.
vs. Pff. in Error.
Eddy Woodson, a minor, by his next friend, W. H. [illegible]

On motion of Mr. J. A. Freeman, of counsel for the defendants in error, [illegible] is hereby granted

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the Clerk to issue the mandate in this cause.

John W. Miller et. al.		In Error to the Circuit
308	vs.	Court of the United
The Domestic Sewing	Pffs. in Error.	States for the Eastern
Machine Company.		District of Michigan.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record herein, it is therupon in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Norfolk & Western		The argument of this
Railroad Company.		cause was conclud-
314	vs.	Pff. in Error.	ed by Mr. W. S. Ol-
The Commonwealth of		ney, of counsel for
Pennsylvania.		the plaintiff in error,

and leave was granted counsel for the respective parties to file supplemental briefs prior to the 3d. day of May next.

Friday, April 26th, 1872. Continued

The Richelieu & Ontario Navigation Company
vs
The Boston Marine Insurance Company.

Continued from No. 276.

The argument of the cause was commenced by the U.S. Counsel for the plaintiffs in error, continued by Mr. Henry A. Dixon of Counsel for the defendant in error, and concluded by Mr. Joseph K. Wood of Counsel for the plaintiffs in error.

Sanction time being ready the Court is adjourned until Monday next at ten o'clock.

1521

Monday, April 28th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that John B. Hutchins, Esquire, of Easton, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was there accordingly.

On motion first made to the Court in this be-

Duff by Mr. John C. Spooner it is ordered that
C. C. Rumsdell, Esqre. of Janesville State of
Wisconsin be admitted to practice as an attorney
and counsellor of this Court and he was
sworn accordingly.

Sallie A. Hartranft, Admrx	In Error to	
testrx of John C. Hartranft,	the Circuit	
deceased late Collector of Customs	Court of the	
for the District of Philadelphia	United States	
142 vs.	for the Eastern	
Orville H. Thayer, Joseph	District of Pennsylvania	
C. Richmond, Trading as		
Thayer and Richmond.		

This cause came on to be heard on the
transcript of the record from the Circuit Court
of the United States for the Eastern District of
Pennsylvania and was argued by counsel.
On consideration whereof, It is now here or-
dered and adjudged by this Court that the
judgment of the said Circuit Court in this cau-
se, and the same is hereby affirmed with cos-
ts and interest, until paid, at the same rate as
annum. That similar judgments bear in the

Courts of the State of Pennsylvania.
per Mr. Justice Brewer.

Adolphus Eckloff. In Error to the Su-
244 vs. Pff. in Error. preme Court of the Dis-
The District of Columbia. trict of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.
per Mr. Justice Brewer.

The United States. On a certificate of divis ion
241 vs. Plaintiff in opinion between the
Leslie G. Chase. Judges of the Circuit Court
of the United States for the
District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts,

and on the points or questions on which the judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion, agreeably to the act of Congress, in such cases made and provided and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the negative. Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr. Justice Lamar.

James Beatty, Thomas Alexander Beatty, and Thomas Alexander Beatty, guardian of Sarah Alleman Beatty, James Richard Davis, William Henry Davis, Addie Viola Davis and ....., Davis, minors,

vs.

Georgia Beatty, Executrix of Thomas Gardner, deceased.

In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of

the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Blatchford.

The United States
224. to. Pff. in Error. In Error to the Circuit
John O. Sanborn. Court of the United
and States for the District
John O. Sanborn. of Massachusetts.
225. to. Pff. in Error.
The United States.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, on writ of error, and cross writ, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to enter a judgment

in favor of the United States for the sum of $1,554 with interest at the rate of six per cent. per annum from October 18, 1888, the date of the commencement of this action and for the costs in the Court below as indicated in the opinion of the Court

per Mr. Justice Harlan.

Ex parte: In the matter of Ed. Mills. Original. Petitioner. } On petition for a writ of habeas corpus.

On consideration of the petition for a writ of habeas corpus, the return to the rule to show cause issued thereon and of the argument of counsel thereupon had, as well in support of the said petition as against the same

It is now here ordered by the Court that the rule to show cause so issued herein, be made absolute and that the petitioner is entitled to a writ of habeas corpus

per Mr. Justice Harlan.

Ex parte: In the matter of Charles Mason Lane Original ——— Petitioner	On petition for a writ of habeas corpus

On consideration of the petition for a writ of habeas corpus, the return to the rule to show cause issued thereon, and of the argument of counsel thereupon had, as well in support of said petition as against the same,

It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Justice Miller.

The Iron Silver Mining Company. vs. Peter Campbell, W. Y. Sedam, Charles L. Thomas, Belle Wheeler and Martha E. Allen.	In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Monday, March 27th, 1899. Continued.

Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs: and that the cause be and the same is hereby remanded to the said Circuit Court with a direction to grant a new trial.

Per Mr. Justice Shiras

Dissenting:

Mr. Justice Brewer &
Mr. Chief Justice Fuller.

Colis P. Huntington
vs. Sup. in Error
Elizabeth C. Attrill.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be and the same is hereby postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

Louis Drager by Eva A. Drager his wife
vs. Pltff. in Error
John W. Jenkins

In Error to the Circuit Court of the United States for the South ern District of Illinois

Marshall.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

William Sunsenderfer.

280. vs. Pff. in Error. In Error to the
Samuel A. Kemp, Martha J. Kemp, Supreme Court
James W. Kemp, Ida Belle Kemp, of the State of
R. H. Payne, Thomas Wasson Jr. Missouri.
John W. Payne Jr. & J. D. Hodges.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

William Leuseder/er, Peff. in Error. vs. L. G. Forster, Executor of Samuel Forster, deceased, et al.

In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

The Michigan Mutual Life Insurance Company. vs. Elizabeth B. Adams. Peff. in Error.

In Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion

It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Indiana.

257. Ferdinand de S. Germain vs. Emanuel Brunswick. Appellant. Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court of the United States for the Northern District of California, with a direction to dismiss the bill.

per Mr. Chief Justice Fuller.

Joseph Lodge & Samuel Beaumont. Appellants vs. Amanda Smith. Appeal from the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court, that the appeal be, and the same is hereby, dismissed for the want of jurisdiction; and that this cause be, and the same is hereby remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

The Lacy & Company vs. Jeff. in Error. A. J. Hardin. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here or-

dered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein not inconsistent with the opinion of this Court.

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Gray.
Mr. Justice Harlan and
Mr. Justice Brewer.

1219 Henry Lyng vs. Peff in Error. The People of the State of Michigan. — In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be and the same is hereby reversed with costs:

and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Gray.
Mr. Justice Harlan.
Mr. Justice Brewer.

130 John J. Schillinger et al. vs. H. L. Crawford et al. Appellants. The motion to dismiss in this cause was submitted to the consideration of the Court on printed argument by Mr. Enoch Totten, Mr. C. C. Cole and Mr. W. A. Cook, in support of the same, and Mr. J. E. McDonald, Mr. R. J. Bright and Mr. J. C. Gay in opposition thereto.

131 The State of North Carolina et al. vs. Alfred A. Temple. Appellants. The motion to modify the decree entered in this cause by the Court was submitted to the con-

sideration of the Court on printed arguments by Mr. S. F. Phillips and Mr. E. L. Andrews in support of the same, and Mr. Theodore G. Davidson, in opposition thereto.

The Covington Stock Yards Co.
299. vs. Appellant.
Charles W. Keith et al.

On motion of Mr. Ed. Baxter, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

E. G. Lawrence, Admr. &c. et al
346. vs. Appellants
Henry M. Rector.

Mr. H. J. May, of counsel for the appellee, filed a stipulation to correct the transcript of record in this cause.

Louis W. Hasselman.
312. vs. Appellant.
Allen E. Russell et al.

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of

the record, It is, Thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Mr. Chief Justice Fuller.

Gustav Pauk et al.
301 vs. Petn. in Error.
W.H. Robertson, late Collector etc.

Ordered by the Court that this cause be, and the same is hereby passed.

The City of Detroit.
295 vs. Pff. in Error
Elizabeth S. Osborne.

The argument of this cause was commenced by Mr. Henry M. Duffield, of counsel for the plaintiff in error, and continued by Mr. E. H. Canfield, of counsel for the defendant in error, & Mr. Duffield for the plaintiff in error.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'Clock.

sideration of the Court on printed arguments by Mr. S. P. Phillips and Mr. S. L. Andrews in support of the same, and Mr. Theodore G. Davidson, in opposition thereto.

The Covington Stock Yards Co. vs. Appellant.
Charles W. Keith et al.

On motion of Mr. Ed. Baxter, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

399

E. G. Lawrence, Admr. &c. et al vs. Appellants
Henry W. Rector.

Mr. H. J. Hay of counsel for the appellee, filed a stipulation to correct the transcript of record in this cause.

346

Lewis W. Hasselman. vs. Appellant.
Allen E. Russell et al.

Appeal from the Circuit Court of the United States for the District of Indiana.

312

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of

the record, It is, therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Gustav Pfeil et al
vs. Pfeffer Bros.
with Robertson, late Collector etc.

Ordered by the Court that this cause be, and the same is hereby passed.

The City of Detroit.
vs. Pff. in Error.
Elizabeth S. Osborne.

The argument of this cause was commenced by Mr. Henry M. Duffield, of counsel for the plaintiff in error, and continued by Mr. H. H. Canfield, of counsel for the defendant in error, & Mr. Duffield for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, April, 29th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert Ewell it is ordered that George Woodward Wickersham Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George J. Bippus, Trustee vs. The Farmers Loan and Trust Company. Appellant. Appeal from the Circuit Court of the United States for the District of Indiana

This cause having been called by the direction of the Court by Mr. George W. Wickersham of counsel for the appellant, and a stipulation to dismiss this cause having been filed. It is, therefore, in pursuance of said stipulation now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller

George J. Bippus, Trustee vs. The Farmers Loan and Trust Co. Appellant. On motion of Mr. George W. Wickersham of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

213. Lewis W. Hasselman vs. Gaar, Scott and Company. Appellant. Appeal from the Circuit Court of the United States for the District of Indiana

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th. rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

295. The City of Detroit. vs. Elizabeth S. Osborne. Pff. in Error. The argument of this cause was concluded by Mr. Henry M. Duffield, of counsel for the plaintiff in error.

306. J. M. Shively. vs. Nancy Welch et al. Appellant. The argument of this cause was commenced by Mr. John H. Mitchell, of counsel for the appellant. Further argument was postponed until to-morrow.

306. John Mann, Trustee &c. vs. John E. Liggett. Pff. in Error. The motion to dismiss herein was argued by Mr.

Tuesday April 11th 1876 Continued

Court Cotton on behalf of the same.

John Wm Sanders etc. vs City in Error
John E Leyath
&
John Wm Sanders etc. vs City in Error
John F. Causey & Geo W. Causey Executors etc

Writ of error issued by the Supreme Court of Texas for the plaintiff in error and the Supreme Court of Texas ordered for the defendant in error to No 306 and the Clerk to issue a Citation for the defendants in error in No 307.

The Board of County Commissioners of Jefferson County, Texas and Wm Harrison 339 vs Appellants
The Board of County Commissioners of Tyler County, Texas and Wm Harrison

This cause was argued by Mr. J. W. Stevens of counsel for the appellee and submitted on a printed argument by Mr. W. H. Sanders of counsel for the appellants

310 William Rea et al. vs. Appellants. The Steamboat "Eclipse" etc. The argument of this cause was commenced by Mr. W. Hallett Phillips, of counsel for the appellants, continued by Mr. J. G. Bigelow, of counsel for the appellees, and concluded by Mr. George W. Guthrie, of counsel for the appellants.

311 O. P. Thompson, Receiver. vs. Appellant. The Home Insurance Co. of Brooklyn, N. Y. The argument of this cause was commenced by Mr. J. W. Wilson, of counsel for the appellant.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Wednesday April 5th 1871

Court met pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Lorenzo Crounse Chief Justice

Samuel M. Chapin

Stephen F. Chapman

Joseph Gaslin

John Taffe Jr. Reporter

Amasa Cobb, Justice

Samuel Maxwell

Lucius A. Sharpe

David J. Brown

John H. Ellis Deputy Marshal

James G. McNaney Clerk

Court was duly made the Court is open.

On motion filed made to the Court in this behalf by Hon. T. M. Marquett it is ordered that John A. Davis, Esquire, of Hastings Adams County Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

305 J. W. Lowry
vs. Appellant.
Nancy Welch et al.

Ordered by the Court that the appellant be allowed to file affidavits showing the value of the matter in controversy in this cause.

316 J. M. Allen et al
vs. Appellants.
Helena Hanke.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Jacob Gruber, of counsel for the appellants, and Mr. J. E. Boppan and Mr. J. J. Storrow, of counsel for the appellee.

318 Samuel G. Buckner
vs. Pff. in Error.
The City of Fort Scott.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

320 The Oregon Railway and Navigation Company et al.
vs. Appellants
Spencer Ervin et al.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called for hearing on the regular and a stipulation to dismiss this cause having been filed, It is therefore in pursuance of said stipulation now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

Per Mr. Chief Justice Waite.

The Cooper Mining and Smelting Company et al vs. Appellants Marcus D. Catlin et al

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called for hearing on the regular order and a stipulation to dismiss this cause having been filed, It is therefore, in pursuance of said stipulation now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

Per Mr. Chief Justice Waite.

D. P. Thompson, Receiver. vs. Appellant. The Home Insurance Company

The argument of this cause was continued

by Mr. J. W. Wilson, of counsel for the appellant, and Mr. Robert Mac of counsel for the appellee, and concluded by Mr. Wilson for the appellant.

305 C. W. Shively. vs. Appellant. Nancy Welch et al.

The argument of this cause was continued by Mr. John H. Mitchell, of counsel for the appellant, and Mr. J. H. Dolph, of counsel for the appellee, and concluded by Mr. Mitchell for the appellant.

306 C. W. Shively. vs. Appellant. Nancy Welch et al.

Mr. J. H. Mitchell, of counsel for the appellant, submitted to the consideration of the Court a motion for leave to file, in vacation, affidavits showing the value of the matter in controversy in this cause.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Thursday. May 1st. 1890.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Melville W. Fuller Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar
Henry B. Brown
John W. Wright. Esquire. Marshal
James H. Mc. Kenney Clerk

Proclamation being made the Court is opened

On motion first made to the Court in the behalf by Mr. Augustus H. Garland it is ordered that Grover Cleveland. Esquire. of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

belay by Mr. Solicitor General Platt it is ordered that Channing Richards. Esquire. of Cincinnati. State of Ohio. be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this belay by Mr. J. C. Coombs it is ordered that Charles A. Hanson. Esquire. of Malden. State of Massachusetts. be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this belay by Mr. W. Hallett Phillips. it is ordered that W. G. Hall. Esquire of Galveston. State of Texas be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

536 The North Pennsylvania Railroad Company. vs. Pff. in Error. The Commonwealth of Pennsylvania.

In Error to the Supreme Court of the State of Pennsylvania.

This cause having been called to the attention of the Court by Mr. William B. Hamilton, of counsel for the defendant in error, and he having moved the Court to dismiss this cause. It is, therefore, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The New York Belting & Packing Company.
vs. Appellant.
The New Jersey Car Spring and Rubber Company.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

per stipulation of counsel.

William Robinson.
vs. Appellant.
The Toledo, Cincinnati & St. Louis Railroad Company et al.

This cause was submitted to the consideration of the Court on the record as printed by agreement by Mr. George W. Morse, of counsel for the appel-

Court, and Mr. John C. Coombs and Mr. Charles H. Hanson, of counsel for the appellees.

325 John H. Law et al. Appellants. vs. The Fire Association of Philadelphia. In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause having been called for hearing in its regular order, and Mr. Joseph Wilby, of counsel for the plaintiffs in error, having moved the Court to dismiss this cause, It is, therefore, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

327. Ebenezer Kitzmiller. Plff. in Error. vs. John D. Pierce. In Error to the Supreme Court of Appeals of the State of West Virginia.

This cause being called for hearing in its regular order and it appearing to the Court that

the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 32d. rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney.

Charles Collier
vs. Appellant
The United States et al.

This cause was argued by Mr. Ogden, of counsel for the appellant, and Mr. Solicitor General Gilpin, of counsel for the appellee.

George A. Riddle et al
vs. Appellants.
Joseph M. Watkins.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John Nalzell of counsel for the appellants, and Mr. N. H. Reynolds, of counsel for the appellee.

James W. Hanes.
315 vs. Pff. in Error.
E. W. Mc. Laughlin et al.

This cause was argued by Mr. W. A. Wheaton, and Mr. W. W. Stewart, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Zach Montgomery of counsel for the defendants in error.

John Anderson et al.
322. vs. Pffs. in Error.
Levi Parkins.

The argument of this cause was commenced by Mr. John A. Cuts, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday May 1st 1840.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Lemuel Shaw Chief Justice.
Samuel M. Putter
Stephen P. Wood
Joseph Bridge
John M. Morton Associate
Horace Gray Justices
Samuel Hoar
Lewis D. Aiken
Richard H. Dana
John M. Wright, Esquire, Marshal
James H. McKinney Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in the case by Mr. Henry L. Dawes it is ordered that William B. Lewis Esquire of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and to this order accordingly.

On motion first made to the Court in the

behalf by Mr. J. C. Spooner it is ordered that Burton Hanson, Esquire, of Milwaukee, State of Wisconsin, and George Fuller, Esquire, of San Diego, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Henderson it is ordered that Sherwood Dixon, Esquire, of Dixon, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Taft it is ordered that Eugene Wartheis, Esquire of Dallas State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Blackburn it is ordered that George S Baldwin, Esquire, of Canton, State of Ohio, be admitted to practice as an attorney and

counsellors of this Court and the rule drawn is accordingly.

Ex parte: In the matter of Ed Hunt. — Original — Petitioner. The Solicitor Gen eral — and I wish to call the attention of the Court to the fact that we have sent our notice to the Warden of the Penitentiary and United States Marshal to release the prisoner under the judgment of the Court and that it will not be necessary to have the writ formally issued to the Warden.

The Chief Justice said, The Clerk will file the notice accordingly.

1817 William G. Stevens vs. William T. Sutler, judgment creditor. — Appellant. Mr. William B. Lowell of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause, and that appellant be allowed to enter into recognizances.

Carl Pohl et al.
1269. vs. Appellants.
The Anchor Brewing Co.

On motion of Mr. W. Hallett Phillips, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

Catherine Gistelbrew.
330 vs. Pff. in Error.
The Chicago, Milwaukee & St. Paul Railway Co.

Ordered by the Court that this cause be, and the same is hereby, passed, until the next term.

Samuel Morris.
333 vs. Appellant.
James B. Haggin et al.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. J. H. McKune, of counsel for the appellant, and leave granted counsel for the appellee to file a printed argument.

William G. Miller.
334 vs. Appellant.
R. M. Thompson, Deputy Sheriff etc.

Ordered by the Court that this cause be, and the same is here-

Friday, May 1st, 1868 Continued

by Continuance until the next Term.

Joseph Anderson et al
vs Appellees in Error
Levi Corbin

The argument of this cause was continued by Mr John A Rockwell of Counsel for the plaintiffs in error and Mr A. McClure of Counsel for the defendant in error and concluded by Mr Poole for the plaintiffs in error.

Robert Hamilton
vs Appellees in Error
The Liverpool Steam Nav. & Mob. Insurance Co.

The argument of this cause was commenced by Mr Joseph Bixby of Counsel for the plaintiffs in error. The Court declined to hear further argument.

John Brown et al
vs Appellees
James C. Armstrong.

Ordered by the Court that this cause be and the same is hereby continued until the next Term

James Wallace Peake et al.
329 vs. Appellants
The City of New Orleans et al.

James Wallace Peake
780 vs. Pff. in Error.
The City of New Orleans.

The U. S. ex rel: Jas. Wallace Peake.
781. vs. Pff. in Error.
The City of New Orleans et al.

And

James Wallace Peake et al.
1234. vs. Appellants
The City of New Orleans.

Ordered by the Court that these cases be, and they are hereby, continued until the next term.

John Dobson et al.
331. vs. Appellants.
James Lees et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

The Steamer "War Worris" etc.
332. vs. Appellant.
Patrick Curry.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Sunday. May. 21st. 1820. Continued.

536 John L. Williams Admr. etc. vs. Appellants. The United States. Ordered by the Court that the cause be continued the same is hereby continued until the next Term.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Monday. May, 5th. 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. B. Simonds, it is ordered that John J. Jennings, Esquire, of Bristol, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

Day by Mr. Roger Foster it is ordered that Thomas L. Phillips, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this day by Mr. Wm. R. Beaumont it is ordered that Horace Stringfellow, Esquire of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this day by Mr. E. A. Rand it is ordered that Joseph W. Raymond, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Lewis Clement et Appellants	On Error to the Circuit
vs.	Court of the United States
The State Line	for the Southern Dist.
vs.	of New York
Jeff. in Error	
Sam H. Williams	Trial of Cause

This cause came on to be heard on the Trans-

cript of the record from the Circuit Court of the United States for the Northern District of Texas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

261 The Yale Lock Manufacturing Company, James Sargent, and Halbert S. Greenleaf. vs. Appellants. The Berkshire National Bank and Sarah G. Hall, Edward C. Hall and Richard S. Fuller, Executors and Trustees, under the last will and testament of Joseph L. Hall, dec'd. Appeals from the Circuit Court of the United States for the District of Massachusetts.

262 The Berkshire National Bank et al. vs. Appellants. The Yale Lock Manufacturing Company, James Sargent, and Halbert S. Greenleaf.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause of February, 12. 1886, so far as it relates to the Sargent reissue No. 7947, be, and the same is hereby, affirmed, and so far as it relates to the Little reissue No. 8550, be, and the same is hereby, reversed, costs in this Court to be paid by the complainants: And that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill of complaint, with costs to the defendants

per Mr. Justice Blatchford.

Herman Royer, vs. Pltf. in Errs. The Schultz Belting Company.

288. In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Justice Blatchford.

The New York Elevated Railroad Company. vs. The Fifth National Bank of City of New York. No. Pff. in Error

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum. That similar judg-

made to me in the Courts of the State of Wisconsin
for the Justice Circuit.

(The Justice Clerk will draw from the
box of the Court within the case name as prayed
took up first in the decision).

Mary A. Wallace Administratrix	On Error to	
of Frederick A. Christmas dec'd	the Supreme	
216 vs Appeal from	Court of the	
Thomas H. Wood surviving Ex-	District of	
ecutor of William W. Wallace dec'd	Columbia.	

The cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be & the same is hereby affirmed with costs.

for the Justice Circuit.

Howard Crawford	On Error to the Circuit	
219 vs Appeal from	Court of the United	
The Excelsior Refining	States for the Northern	
Company.	District of Illinois.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the plaintiff.

per Mr. Justice Harlan.

John J. Schillinger et al. vs. Appellants. H. L. Crawford et al.

530

On consideration of the motion to dismiss in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be overruled on the appellants taking out a new citation within ten days from this date to be served on all the appellees. If said citation is not obtained within ten days the appeal will be dismissed.

per Mr Chief Justice Fuller

Monday May 5th 1890 Continued

No 280 John H. Bass, Appellant, v. Congo Williams. Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is therefore ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

No 282 Chas. W. Shively, Appellant, v. Henry Wiebe et al. Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof, it is ordered and decreed by this Court that the said decree be, and the same is hereby affirmed with costs.

Mr. Wm. Grosvenor Butler

	J. W. Lively	Appeal from the Cir-
508	vs. Appellant.	cuit Court of the Un-
	Nancy Welch, Joseph N. Dolph,	ited States for the Dis-
	W. W. Upton & James W. Welch.	trict of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

	The Northern Pacific Rail-	In Error to the
	road Company.	Supreme Court
289	vs. Pff. in Error.	of the State of
	Jacob Austin.	Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby,

dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Jacob Bay. Petitioner. On consideration of the petition for a writ of prohibition, or for a writ of mandamus, the return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of as against the said petition, It is now here ordered by the Court that said rule be, and the same is hereby, discharged, and said petition denied with costs.

per Mr. Chief Justice Fuller.

11. Original.

The State of North Carolina et al. vs. Alfred H. Temple. Appellants. On consideration of the motion to modify the decree entered herein by this Court, and of the argument of counsel thereupon had, as well in support of as against the same,

392.

It is now here ordered by the Court that said motion be, and the same is here-

by Clerk.

per Mr. Chief Justice Fuller.

1611 William J. Stevens, Appellant vs. William G. Fuller, judgment creditor. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, the cause to be submitted on printed arguments to be filed on or before Monday the 12th. instant.

per Mr. Chief Justice Fuller.

1617 William J. Stevens, Appellant vs. William G. Fuller, judgment creditor. This cause was submitted to the consideration of the Court on the record & printed arguments to be filed on or before Monday the 12th instant

214 Carlisle Mason et al. Plffs. in Error vs. The United States. The motion to amend the writ of error, citation and bond in this cause was submitted to the consideration of the Court

on a printed argument by Mr. E. L. Bentley in support of the claim, and leave was granted to the Solicitor General (A) to file a printed argument in opposition thereto within one week from this date.

23 Anna M. Mc Lane et al. vs. Appellants. Ruggles W. Clapp et al. The motion to reverse the decree entered herein by the Circuit Court and to remand the cause to that Court with leave to amend the bill of complaint, and for leave to withdraw the transcript of the record from the files of this Court were submitted to the consideration of the Court on printed arguments by Mr. Edwin S. Smith, in support of the same, and Mr. Sherwood Dixon in opposition thereto.

23 Anna M. Mc Lane et al vs. Appellants Ruggles W. Clapp, Henry Clapp et al. Mr. Edwin S. Smith on behalf of counsel for the appellees, suggested on the death of Henry Clapp one of the appellees, and moved

the Court to make Sarah A. Clapp, Administratrix, and Fletcher D. Clapp, Eva K. Wilmot & Mary L. Shaw, heirs at law of said Henry Clapp, parties appellees herein. Whereupon, It is now here ordered by the Court that the said Sarah A. Clapp Administratrix and Fletcher D. Clapp, Eva K. Wilmot and Mary L. Shaw, heirs at law of said Henry Clapp, deceased, be, and they are hereby, made parties appellees in this cause.

Ex parte: In the matter of William Saunder. Petitioner. Mr. Roger M. Sherman of counsel for the petitioner, presented a petition for a writ of habeas corpus and made an argument in support of the same.

Whereupon, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

1621 B. F. Hammond and W. H. Hamman. vs. Pltfs. in Error. James Conoly, Elizabeth P. Knight, Charles F. Hough et al. Mr. F. D. McKenney of counsel for the defendants in error having filed in open Court

the following certificate to wit.

Circuit Court of the United States

Northern District of Texas

I, J. H. Wicks, Clerk of the Circuit Court of the United States for the Northern District of Texas do hereby certify that in a certain cause pending in said Court wherein B. G. Hammond & W. H. Hamman were plaintiffs, and James Connoly, Elizabeth P. Hough, Charles V. Hough, Elizabeth Hough, Mary S. Hough, Anna A. Hough and Eleanor S. Hough were defendants a final judgment was rendered by said Circuit Court on the 12th day of December A. D. 1888, in favor of said defendants and against the said plaintiffs, and that on the 29th day of March, A. D. 1889, said plaintiffs, B. G. Hammond and W. H. Hamman sued out a writ of error to said Circuit Court directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of the said Circuit Court at the City of Waco, this .....

{ Seal. }

day of April, A.D. 1890.
J. H. Fiske, Clerk.
By C. A. Richardson, Deputy".

moved the Court to docket and dismiss this cause, pursuant to the 9th. rule: and it appearing to the Court that the plaintiffs in error have failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Northern District of Texas be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Fuller.

The Steamer "Max Morris", etc. vs. Patrick Curry. 332 Appellant.

Ordered by the Court that the order entered here in, on the 2d. instant continuing this cause until the next term be, and the same is hereby, stricken out.

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The Steamer Westminster
vs
Upstreet.
Patrick Berry

This cause was submitted to the consideration of the Court on the second and printed arguments by Mr Wetherbee Upshaw of counsel for the appellant, and Mr Roger Foster of counsel for the appellee.

Proclamation being made the Court is adjourned until Tuesday the 13th inst. at ten o'clock.

Monday. May. 19th. 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller. Chief Justice.
Samuel F. Miller.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright. Esquire, Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Jack Montgomery it is ordered that Chalmers Scott. Esquire of San Diego. State of California. be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

leaf by the Assistant Attorney General Evarts it is ordered that William Lunt Avery, Esquire of Richmond State of Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Sugeroth it is ordered that Nate Nam of Chicago State of Illinois be admitted to practice as an attorney & counsellor of the Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Wolfe it is ordered that Stephen L. Mestrezat, Esquire, of Uniontown, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered that E. Frank Carson, Esquire, of Elizabeth, State of New Jersey, John W. Willis, Esquire, of St. Louis State of Missouri and John Vidal, Es

gums of Washington District of Columbia be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Mrs. Elizabeth Norman and James Norman, her husband. & Eunice King.
vs. Appellants
John A. Buckner, E. J. Delony and G. G. Montgomery.

Appeal from the Circuit Court of the United States for the Western District of Louisiana.

275

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

The City of Detroit.
vs. Plff in Error.
Elizabeth S. Delorme.

In Error to the Circuit Court of the United States for the Eastern District of Michigan.

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Monday, May 19th, 1890. Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to sustain the demurrer to the amended declaration.

per Mr. Justice Brewer.

Joseph Anderson & Hannah M. Anderson vs. Levi Carkins. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in

this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Brewer.

Sylvester H. Knedland. vs. The American Loan & Trust Company of Boston, The Grant Locomotive Works, D. S. Paul, Trustee, et al. — Appellant. — Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to strike out all allowance for rent prior to December 1, 1883, the time when the re-

ceiver was appointed at the instance of the mortgagees, and to allow the [illegible] for the time subsequent thereto.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Bradley.

Sylvester A. Husband. Appeal from the Cir
537. v. Appellant. cuit Court of the
George William Ballou, United States for the
Trustee. District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to strike out all allowances for rental prior to December. 1, 1888, the time when the receiver was appointed at the instance of the mort-

gagees, and to allow the rentals as fixed for the time subsequent thereto.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Bradley.

The Hot Springs Railroad Company.
vs.
Jamie G. Williamson.

93. Pff. in Error.

In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas

per Mr. Justice Lamar.

The Western Pacific Railroad Company	In Error to the
vs.	Supreme Court
87 Jeff. M. Bee	of the District of
Louis A. Mc Nabb.	Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Colorado, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause in this cause be and the same is hereby affirmed with Costs.

per Mr. Justice Brown.

Mr. Justice Brown not having been a member of the Court at the time this case was considered, took no part in its decision.

J. F. Mc. Call	In Error to the Superior
vs.	Court of the City & County
90 Jeff. M. Bee	of San Francisco State
The People of the State	of California.
of California.	

This cause came on to be heard on the transcript of the record from the Superior Court

of the City and County of San Francisco, State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Superior Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Lamar.

Dissenting:

Mr. Chief Justice Butler
Mr. Justice Gray and
Mr. Justice Brewer.

394 The Norfolk & Western Railroad Company. vs. Peff. in Error. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and was argued

by counsel On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Strong

Dissenting:

Mr Chief Justice Chase

Mr Justice Clifford and

Mr Justice Brown

The United States
vs
Cyff in Error
Lucas Voorhies

In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel On consideration whereof It is now here ordered and adjudged by this Court that the judg

mand of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Lamar

(Mr. Justice Field did not sit in this case).

William S. Lovell. — Appeal from the
212 v. — Circuit Court of the
George O. Cragin, George O. Cragin Jr & Orlando P. Fisk. — United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that so much of the decree of the said Circuit Court, in this cause, as sustains the complainant's bill, be, and the same is hereby, reversed with costs, and so much of the said decree as dismisses the cross-bill be, and the same is hereby, affirmed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill with costs.

per Mr. Justice Lamar.

William Robinson
324. vs. Appellant.
The Iron Railway Company, John C. Connets, The Toledo, Cincinnati & St. Louis Railroad Company and The Central Trust Company of New York.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford

John Glenn, Trustee of The National Express & Transportation Company.
306. vs. Pltff in Error
John E. Liggett.

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the trans-

cript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to overrule the demurrer to the amended petition, and to take such further proceedings as shall not be inconsistent with the opinion of this Court.

per Mr. Justice Blatchford

Dissenting:

Mr. Justice Brewer.

307

John Glenn, Trustee of the National Express & Transportation Company. vs. Plff. in Error. John L. Dawson & George W. Dawson, Executors of Charles Dawson, deceased & Morris Dawson.

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with a direction to overrule the demurrer to the amended petition, and to take such further proceedings as shall not be inconsistent with the opinion of this Court.

per Mr. Justice Blatchford

Dissenting.

Mr. Justice Brewer.

William C. West. In Error to the Circuit Court
vs. Jeff. in Error. of the United States for the
Addison H. Camden. District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs: and that this judgment be entered nunc pro tunc as of April 17, 1890.

per Mr. Justice Blatchford.

William G. Stevens. vs. William G. Buller. — Appellant.

No. 17.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Blatchford.

The Cornell University and
Douglas Robinson as Executors
of John Mc Evoy de-
ceased and as Executors of
Jennie Mc Evoy Crocker
deceased et al.

vs

Mc Evoy Evans
Willard Cocks Charles H.
Mc Evoy Lettie Mc Evoy
Chandler and John Chandler
her husband et al

In Error to the
Supreme Court
of the State of
New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York and was argued of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Dissenting: Mr. Justice Strong
Mr. Justice Brewer
Mr. Justice Bradley

The United States of America.
3. Original. Plaintiff } At Law.
The State of North Carolina.

This cause came on to be heard on the pleadings and an agreed Statement of facts, and was argued by counsel, and the Court being fully advised in the premises.

It is now here ordered and adjudged by the Court that the plaintiff take nothing by its suit, and that the defendant go hence without day.

per Mr. Justice Gray.

Dissenting:
Mr Justice Harlan.
Mr. Justice Miller and
Mr. Justice Field.

Mary Ann Gibbons. Appeal from the Su-
16. vs. Appellant. preme Court of the Dis-
Jane Owen Walton. trict of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued

by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray

The Union National Bank of Chicago, Henry C. Barnard & Bennett Lyman as Barnard Lyman & Company et al. vs. The Bank of Kansas City, The Bank of Commerce, The Citizens National Bank et al.

13. Appellants. Appeal from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Gray.

(Mr. Chief Justice having been of counsel and Mr. Justice Brewer not having been a member of the Court when the case was argued took no part in its consideration or decision).

	The George D. Smith Middlings Purifier Company & W. & G. Livingstone.		Appeal from the Circuit Court of
28.	vs.	Appellants.	the United States for the Southern
	Mary J. G. McCreary, Lucy O. Hunt, Mary S. Wade, Robert Simpson et al.		District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Gray

Monday May 9th. 1892. Continued.

Mr. Justice Brown not having been a member of the Court when the case was argued took no part in its decision.

Robert Hamilton.		In Error to the Cir-
320.	vs.	cuit Court of the
The Liverpool & London &		United States for
Globe Insurance Company		the Southern Dis-
of Great Britain.		trict of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray

Charles Palliser. Appeal from
1238 vs. Appellant. the Circuit
The United States of America, Court of the
& John A. Shields, individually United States
& as United States Commissioner for the South-
& Martin T. McMahon individually ern District
& as Marshal of the United States of New York.
for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr. Justice Gray.

The State of Minnesota. Appeal from the Circuit
1246 vs. Appellant. Court of the United States
Henry E. Barber. for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

The Chicago Railway Equipment Company vs. The Merchants National Bank of Chicago. Plff. in Error.

In Error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid. It is the same order per curiam that similar judgments be given in the Courts of the State of Wisconsin.

Dissenting:

Mr. Justice Miller and

Mr. Justice Gray.

(Mr. Justice Brewer was not a member of the Court when this case was argued and took no part in its decision)

307 Thomas Ryan. In Error to the Circuit
vs. Jeff. in Error. Court of the United States
The United States. for the Western District
of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

311 A. P. Thompson, Receiver. Appeal from the
vs. Appellant. Circuit Court of the
The Home Insurance Com- United States for the
pany of Brooklyn, New York. District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be conducted with the opinion of this Court.

per Mr. Justice Harlan.

J. H. Allen, Thomas H. West, and John C. Bush, copartners as Allen, West & Bush vs Thomas Fletcher, as U. S. Marshal.

vs. Appellants

Helena Hauke.

Appeal from the District Court of the United States for the Eastern District of Arkansas.

316

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On

consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

The Cherokee Nation, Appellant. vs. The Southern Kansas Railway Company. Appeal from the District Court of the United States for the Western District of Arkansas.

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This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal of the said District Court in this cause be, and the same is hereby, reversed, with costs: and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Harlan

The District of Columbia, ex rel. Jeffrey Bros. & Henry B. Woodbury, vs. Appellees, } In Error to the Supreme Court of the District of Columbia.

No. 28

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Lurton.

Wm. H. H. Reynolds, Assignee of John H. Addew, vs. John Addew, John H. Addew, Jr. & Thomas Duffy, Late Sheriff of the County of Dade, } Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

No. 15

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee and was argued by counsel. On c...

sideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

George L. Vashow. In Error to the Su-
29 vs. Pff. in Error. preme Court of the
Samuel P. Greenhow, Treas- Appeals of the State
urer of the City of Richmond, of Virginia.
Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

Joseph Bryan. In Error to the Supreme
1055 vs. Pff. in Error. Court of Appeals of the
The State of Virginia. State of Virginia.

This cause came on to be heard on the Transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals for such further proceedings to be had in due course of law, in conformity with the opinion of this Court.

per Mr. Justice Bradley.

James S. Cooper. — In Error to the Supreme
v. — Court of Appeals of the
The State of Virginia. — State of Virginia.

This cause came on to be heard on the Transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Su-

preme Court of Appeals in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals for such further proceedings as may be required in due course of law, in conformity with the opinion of this Court.

per Mr. Justice Bradley.

John Mc. Daley. In Error to the Supreme
1057 vs. Deft. in Error. Court of Appeals of the
The State of Virginia. State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals for such further proceedings as may be required in due course of law, in conformity with the opinion of this Court.

per Mr. Justice Bradley.

H. W. Elliott
vs. Plff. in Error
The State of Virginia.

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals for such further proceedings as may be required in due course of law, in conformity with the opinion of this Court

per Mr. Justice Bradley.

1142 C. H. Cuthbert.
vs. Plff. in Error.
The State of Virginia.

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia and was

argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals for further proceedings to be had therein as law and justice may require, in conformity with the opinion of this Court.

per Mr. Justice Bradley.

Thomas S. Hughes. — In Error to the Circuit Court
216. v. Deft. in Error. — of the United States for the
John K. Chidsey. — Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

In the matter of Laura Brown Appellant	Appeal from the Circuit Court of the United States for the Eastern District of Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed: and that this cause be and the same is hereby remanded to the said Circuit Court for such further proceedings to be had as may be required by law and justice in conformity with the views of this Court.

per Mr Justice Brantley.

The State Corporation of the Church of Jesus Christ of Latter Day Saints et al Appellants, vs The United States.	Appeals from the Supreme Court of the Territory of Utah

George Romney, Henry Dunwoody,
James Watson and John Clark.

654 vs. Appellants.

The United States.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Bradley.

Dissentiens:

Mr. Chief Justice Fuller
Mr. Justice Field and
Mr. Justice Lamar.

2. The State of Indiana.
Original — vs. — Complainant.
The State of Kentucky. } In Equity.

This cause came on to be heard on the bill of complaint, answer, cross bill and replication thereto, and testimony, and was argued by counsel.

On consideration whereof it is now here ordered and declared by this Court that at the time the State of Kentucky became a State of the Union namely the first day of June one thousand seven hundred and ninety two the waters of the river Ohio flowed in a channel to the East of that known as Sand Bar Island and on the Kentucky or the Eastern side of the said Island known that island and the remainder of the State of Indiana: and that the jurisdiction and dominion of said State of Kentucky at that time extended and ever since has extended to what was then low-water mark on the Kentucky side of that channel: and that the boundary line between Kentucky and Indiana must be run on that line already in the same can now be ascertained.

And it is further ordered and adjudged that Commissioners be appointed to ascertain and run the boundary line as herein directed, and to report to this Court upon which appointment counsel of the parties will be heard upon rules.

Jas. Hunter Circuit

The Nashua & Lowell Railroad Corporation

166 vs. Appellant.

The Boston & Lowell Railroad Corporation, Charles E. A. Bartlett and George G. Richardson, Rebecca G. Hosford and Arthur G. Pollard, Executors of Horace Hosford, deceased.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Field.

(Mr. Justice Bradley did not sit in this case or take any part in its decision).

(Mr. Chief Justice Fuller, Mr. Justice Gray

and Mr. Justice Lamar dissented on the question of jurisdiction).

Samuel Morris		Appeal from the Circuit
115	vs.	Court of the United States
	Appellant	for the District of Cali-
James B. Haggin and		fornia.
Lloyd Wurs.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs: and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

Per Mr. Justice Miller.

The Des Moines & Fort Dodge Railroad Company.
256. vs. Appellant.
The Wabash, St Louis & Pacific Railway Company et al.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

The Texas and Pacific Railway Company & John C. Brown and Lionel A. Sheldon, Receivers of the Texas and Pacific Railway Company.
293. vs. Appellants
The City of Marshall.
And.
The City of Marshall.
1105 vs. Appellant.

Appeals from the Circuit Court of the United States for the Eastern District

The Texas & Pacific Railway Company, & John C. Brown & Lowis A. Sheldon, Receivers of The Texas and Pacific Railway Company. } of Texas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, on appeal and cross-appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the City of Waco, and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Miller

Dissenting:

Mr. Justice Brewer

Ex parte: In the matter of Thomas F. Burrus, Original. Petitioner. } On a petition for a writ of habeas corpus

On consideration of the petition for a writ of habeas corpus, the return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of said petition as against the same.

It is now here ordered by the Court that the rule to show cause issued herein be made absolute, and that the writ of habeas issue as prayed in said petition.

per Mr. Justice Miller.

Dissenting:

Mr. Justice Brewer.

Carlile Mason and John Astor. vs. Pepp. in Error. The United States.

214

On consideration of the motion to amend the writ of error, citation and bond in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Carlile Mason and John Mslow vs. The United States. Pffs. in Error

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller

23. Julia H. Mc.Lean et al. vs. Ruggles W. Clapp et al. Appellants.

On consideration of the motions to reverse the decree entered herein by the Circuit Court and to remand the cause to that Court with leave to amend the bill of complaint and for leave to withdraw the transcript of the record from the files of this Court, and of the argument of counsel thereupon had, as well in support of as against

the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

Watson Parker, Administrator of Alfred B. Pittman, deceased, and Mary Ella Beck. Appellants.
vs.
John Churchill, Trustee &c. Mary Chase.

Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Mississippi.

per Mr. Chief Justice Fuller.

John Churchill, Trustee, and Mary Clark.		Appeal from the Circuit Court of the United States for the Northern District of Mississippi.
603.	vs. Appellants.	
Walter Turner, Administrator of Alfred B. Pittman, deceased.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

James W. Haines.		In Error to the Circuit Court of the United States for the Northern District of California.
315.	vs. Pff. in Error.	
E. W. MacLaughlin, C. Wetherbee, A. Roberts, Jr., Trustees and the Madera Flume and Trading Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per the Chief Justice Fuller.

William Rea & George C. Robinson, copartners as Robinson, Rea & Co. J. C. Kay, & Woodruff Mc. Knight, copartners as Kay Mc Knight and Co. et al. — Appeal from the Supreme Court of the Territory of Dakota.

310. vs — Appellants

The Steamer "Eclipse", William Braithwait, Claimant.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Dakota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs: and that this cause be; and the same is hereby,

remanded to the District Court of the United States for the District of North Dakota.

per the Chief Justice Fuller.

George C. Cochran & Charles S. Packer as Trustees for Charles Backus. Appellants	Appeal from the Circuit Court of the United States for the Eastern District of Arkansas
vs.	
Joseph Ellis Whitbeck.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to allow the complainants to amend their bill, and for further proceedings in conformity with the opinion of this Court.

per the Chief Justice Fuller.

The Richelieu and Ontario Navigation Company. vs. The Boston Marine Insurance Company.

296 Pff. in Error.

In Error to the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Order.

It is ordered by the Court that mandates issue in all cases decided at this term when applied for.

per Mr. Chief Justice Fuller.

H. J. Mc. Murray et al. vs. Charles Moran et al.

193 Appellants.

Mr. Horatio C. King, of counsel for the appellants, suggested the deaths of Jerry

Schooling and James Wilson two of the appellees herein, and moved the Court to revive J. B. Hagerman, Administrator of Jerry Schooling deceased, and John Wright Administrator de bonis non with the will annexed of James Wilson, deceased, parties appellants, since January 20 1870. Whereupon it was ordered by the Court that J. B. Hagerman Administrator of Jerry Schooling deceased and John Wright Administrator de bonis non with the will annexed of James Wilson deceased be and they are hereby made parties appellants in the place and stead of James Wilson deceased since January 20th, 1870.

Sylvester N. Rowland
vs. Appellant
The American Loan & Trust Company of Boston et al
and
Sylvester N. Rowland
vs. Appellant.
George William Ballou, Trustee.

Mr. Robert E. Sargent of counsel for the appellant submitted to the Court a motion to stay the issuance of the mandate and for leave to file a petition for a rehearing in these cases.

652

657

Louis S. Phillips, Appellant
1691. vs.
John W. Jacobus, Marshal etc. et al.

The motion to advance this case was argued by Mr. Samuel R. Olcott, in support of the same and Mr. Louis S. Phillips, in opposition thereto.

Ex parte: In the matter of Eugene Logan et al. Petitioners.

Mr. A. H. Garland, of counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus.

The Late Corporation of the Church of Jesus Christ of Latter Day Saints et al.
1081. vs. Appellants
The United States

George Romney et al.
1057. vs. Appellants.
The United States.

Mr. J. E. McDonald, of counsel for the appellants, submitted to the consideration of the Court a motion to stay the issuance of the mandate in these cases.

Monday May 19th 1890 Continued

The Delaware Lackawanna Canal Company
vs. Plff. in Error.
The Commonwealth of Pennsylvania.

In Error to the Supreme Court of the State of Pennsylvania.

No 22

This cause having been called to the attention of the Court by Mr. H. B. Chadwick of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, it is thereupon in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

The Lake Shore & Michigan Southern Railway Company
vs. Plff. in Error.
The Commonwealth of Pennsylvania.

In Error to the Supreme Court of the State of Pennsylvania.

No 1574

This cause having been called to the attention of the Court by Mr. H. B. Chadwick, of counsel for the plaintiff in error, and he having

moved the Court to dismiss this cause. It is, therefore, in pursuance of said motion, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

574 The Lehigh Valley Railroad Company. vs. The Commonwealth of Pennsylvania. Pff. in Error. In Error to the Supreme Court of the State of Pennsylvania.

This cause having been called to the attention of the Court by Mr. W. E. Olmsted, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, It is, therefore, in pursuance of said motion now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Delaware Lackawanna & Western Railroad Company
vs
Eff in Error
The Commonwealth of Pennsylvania
Eff in Error

In Error to the Supreme Court of the State of Pennsylvania

This cause having been called in the order of the Court by Mr. H. B. Wright and he having moved the Court to dismiss the same it is therefore in pursuance of said motion ordered and adjudged by this Court that the writ of error in the cause be and the same is hereby dismissed with costs.

per The Chief Justice Waite

Albert G. Babbitt
vs
Eff in Error
Parker P. Clark, Executor
& Lloyd & Lloyd & Comm.

This cause coming on to be heard on a motion for the dismissal of the writs of error, argued and the clerk of Albert G. Babbitt, the plaintiff in error in this cause, and moved the Court for an order under the 16th rule to make the proper representatives parties. Whereupon it is ordered by the Court that unless the proper representa-

atives of the said Albert G. Babbitt, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court the defendants in error shall be entitled to have the writ of error dismissed: Provided, however, That a copy of this order shall be printed in some newspaper of general circulation in the State of Ohio, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

The United States. Appeal from the
169. vs. Appellant. Court of Claims.
Frank Ives.

This cause having been called to the attention of the Court by Mr. George A. King, of counsel for the appellee, and a stipulation to dismiss this cause having been filed. It is therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

Phil Lucid Jr. — In Error to the Supreme
vs. Ctf. in Error — Court of the State of
D. W. McLaurin et al — Ohio

This cause having been called to the attention of the Court by Mr. William A. McKenney, on behalf of counsel, and a stipulation to dismiss this cause having been filed. It is therefore, on pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

John C. Davis et al — In Error to the Su-
vs. Ctf. in Error — preme Court of the
John D. McCormick, Col — State of Ohio
lector &c.

This cause having been called to the attention of the Court by Mr. William A. McKenney, on behalf of counsel, and a stipulation to dismiss this cause having been filed. It is, therefore, on pursuance of said stipulation, now here ordered and adjudged by this Court.

that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

	W. W. Dodds.	Appeals from the
1478.	vs. Appellant.	Circuit Court of
	John Chaffe et al.	the United States
	and	for the Eastern
	John Chaffe et al.	District of Ar-
1549.	vs. Appellant.	kansas.
	W. W. Dodds.	

This cause having been called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation to dismiss these appeals having been filed, it is therefore in pursuance of said stipulation, now here ordered, adjudged and decreed by this Court, that these appeals be, and the same are hereby, dismissed.

per Mr. Chief Justice Fuller.

	William H. Barse et al	In Error to the Su-
1593	vs. Plffs. in Error.	preme Court of the
	Mills W. Barse et al.	State of New York.

This cause having been called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation to dismiss this cause having been filed, It is, therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday May 20th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer

John M. Wright. Esquire Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this today by Mr C. C. Hoover it is ordered that Edgar M. Beach, Esquire, of Wayne State of Wisconsin be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

1035 The State Corporation of the Church of Jesus Christ of Latter Day Saints et al vs. Appellants The United States

Per

George Romney et al vs. Appellants The United States

1036 On consideration of the motion to dismiss the writs of error in these cases it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

1037 The State Corporation of the Church of Jesus Christ of Latter Day Saints et al. vs. Appellants The United States

Per

George Romney et al vs. Appellants The United States.

Mr. J. M. Zane moved the Court for leave to file a petition for rehearing in these cases.

1631 Luis de Otaja y Cortez vs. John W. Jacobus, Marshal etc. et al. Appellant.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument at once.

Ex parte: In the matter of William Kemmler. Petitioner.

This case was argued by Mr. Roger M. Sherman, of counsel for the petitioner & Mr. Charles F. Tabor of counsel for the respondent.

1631 Luis de Otaja y Cortez. vs. John W. Jacobus, Marshal etc. et al. Appellant.

This cause was argued by Mr. Louis S. Phillips, of counsel for the appellant, and Mr. Emmet R. Olcott of counsel for the appellee.

Proclamation being made the Court is adjourned until Friday next at twelve o'clock.

Friday, May 20th 1870.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Hiram R. Revels Chief Justice
Samuel H. Walker
Stephen D. Lee
Joseph E. Brown
John M. Stone Associate
Thomas C. Fay Justices
Samuel Whitaker
Lucius L. C. Lamar
Edward D. Bruce.

John M. Sharkey, Esquire, Attorney.
James H. Mc Neilly Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. C. J. Bouton it is ordered that Hiram R. Revels, Esquire of Natchez, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court on this

behalf by Mr. A. L. Merriman it is ordered That Chauncy F. Kellogg, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

(1631) Luis de Otaza y Cortez, Appellant, vs. John W. Jacobus, Marshal of the United States for the Southern District of New York & Miguel Suarez, Claims Consul &c. — Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Columbus Praw. In Error to the
204 vs. Supreme Court
Moore S. Dalls & Laura M. of the District
Ritchie, heirs at law of Maria of Columbia.
Ritchie, deceased.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray

Bertrand Salvy. In Error to the Circuit
92 vs. Court of the United
Simon Block States for the Eastern
District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by coun-

sth. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the defendant.

per Mr. Justice Bradley.

Ex parte: In the matter of Eugene Logan et al. Petitioners. On consideration of the motion for leave to file a petition for a writ of habeas corpus, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Board of County Commissioners of Yellowstone County, Montana Territory. Appellant. vs. The Board of County Commissioners of Custer County, Montana Territory. Appeal from the Supreme Court of the Territory of Montana.

302

This cause came on to be heard on the Transcript of the record from the Supreme Court of the Territory of Montana and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs: and that this cause be and the same is hereby remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

In parte: In the matter of William Rounds. Original Petitioner. On consideration of the petition now for a writ of error herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1493 Robert S. Hale. vs. Gottlieb Scherer et al. Pffs in Error. On motion of Mr. W. H. Mundhall, of counsel for the defendants in error, It is ordered by the Court that the judgment entered herein be reformed so as to remand the cause to the Supreme Court of the State of Wisconsin.

690 The Chicago Rock Island & Pacific Railway Company. vs. Sarah R. Angle, Administratrix of the estate of H. G. Angle, deceased. Pff. in Error. In Error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause having been called to the attention of the Court by Mr. Augustus H. Garland, on behalf of counsel for the plaintiff in error, and the authority of counsel for the plaintiff in error to dismiss this cause having been filed, It is therefore in pursuance of said authority, now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Friday, May 23d. 1890. Continued

The Utah Corporation of the Church of Jesus Christ of Latter Day Saints et al

vs Appellants

The United States

By

George Mowry et al

vs Appellees

The United States.

Ordered by the Court that the Mandate of this Court herein be and the same is hereby recalled & set aside.

For the Easter Session

Order

It is now here ordered by the Court that all the cases on the docket not heard and all the other business of the Term not disposed of by the Court be, and the same are hereby, continued until the next Term of the Court.

Proclamation being made the Court is adjourned to the time and place appointed by law

Rules
of the
Supreme Court
of the
United States
October Term
1925

Monday October 13th 1879

At the Capitol of the United States in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October (being the thirteenth day of the same month) in the year of our Lord one thousand, eight hundred and ninety, and of the Independence of the United States the one hundred and fifteenth, the Supreme Court of the United States met agreeably to law.

Present.

The Honorable Morrison R. Waite Chief Justice

Joseph P. Bradley.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar
David J. Brewer.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is

ordered that William A. Day, and Josiah Dreas Esquires, of Canton, State of Ohio be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Henry Wise Garnett it is ordered that Samuel B. Adams, Esquire of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Grant G. Canfield Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. O. W. Howlow it is ordered that J. W. Stephens Esquire, of Weatherford, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he

was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Mitchell it is ordered that W. B. Woodard, Esquire of New Haven State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. D. Mussey it is ordered that William N. O'Hara and Daniel Davenport, Esquires of Bridgeport, State of Connecticut, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington it is ordered that Richard H. Savage, Esquire of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Reginald Rindge it is ordered

that J. A. Lukens Esquire of New Orleans State of Louisiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Lucas Wilmot it is ordered that Cook & Dodge Esquires of Minneapolis State of Minnesota and Thomas L. Riley Esquire of Wheeling State of West Virginia be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

The Chief Justice and

The Court thereupon ascended the Bench of Supreme Judicature.

The usual customary Proclamation of the Marshal of the United States on the first day of the Term was then made. Proclamation for the second Monday of the term October 20th, was to be set down for the third Monday of the Term, the 27th. instant. Applications for admission to the Bar will be entertained, and after they are disposed of the

Court will adjourn until To-morrow when the call of the docket will be commenced pursuant to the 26th Rule.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Monday, October 14th, 1890

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice

Joseph P. Bradley

John M. Harlan

Horace Gray. Associate

Samuel Blatchford Justices

Lucius Q. C. Lamar

David J. Brewer

John W. Worrell, Esquire, Marshal

James H. McKenney, Clerk

Proclamation being made the Court is opened

[redacted]

The Chief Justice said,

It is with feelings of profound sadness that I announce the death of the Senior Associate Justice of this Court, Mr. Justice Miller, which occurred at his residence in this City at fifty-two minutes past 10 o'clock last evening. No business will be transacted

and the Court as a mark of respect to the memory of its eminent Associate will adjourn until Monday next.

[redacted]

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday October 27th 1890

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Stephen J. Field.

Joseph P. Bradley.

Horace Gray, Associate

Samuel Blatchford, Justices

Lucius Q. C. Lamar.

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk

Proclamation being made the Court is opened

Mr. Justice Field said

The Justices of this Court who accompanied the body of Mr. Justice Miller to its place of burial in Iowa have not returned to Washington. There is, therefore not a quorum of Justices present to-day and the Court will consequently stand adjourned until to-morrow at twelve o'clock.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday October 21st. 1890

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field

Joseph P. Bradley.

Horace Gray. Associate

Samuel Blatchford. Justices

Lucius Q. C. Lamar.

David J. Brewer

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Solicitor General Gay it is ordered that A. A. Ludow Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B Browne it is ordered that Charles K. Lemer, Esquire, of Seattle, State of

Washington, be admitted to practice as an attorney and counsellor of this Court and he was severally accordingly.

The United States, Appellant, vs. The Northern Pacific Railroad Company. Appeal from the Supreme Court of the Territory of Washington.

This cause having been called to the attention of the Court by the Solicitor General, and of counsel for the appellant and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Montana.

per Mr. Chief Justice Fuller.

	The United States	In Error to the Circuit
1197	vs.	Court of the United
	The Richmond Mining	States for the District
	Company of Nevada.	of Nevada.

This cause having been called to the attention of the Court by Mr. Solicitor General Phil. H. counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

	Frank Morrissey.	This cause was submit-
731	vs.	ted to the consider at-
	Mayor David Terry.	ion of the Court, pur-

suant to the 20th. rule on the record and printed arguments by Mr. H. W. Pittman of counsel for the plaintiff in error, and Mr. Solicitor General Phil H. of counsel for the defendant in error.

Tuesday, October 21st, 1890. Continued.

761 The United States. vs. John Crumley. Appellant. This cause was submitted to the consideration of the Court pursuant to the 20th. rule, on the record and printed arguments by Mr. Solicitor General Taft of counsel for the appellant, and Mr. H. W. Putnam, of counsel for the appellee.

1211 C. E. Cook et al. vs. The United States. Pffs. in Error. Mr. Joseph Grease of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause and a motion for an order directing that the transcript of the record be printed at the expense of the United States.

Ex parte: In the matter of The Pennsylvania Co. Petitioner
Ex parte: In the matter of The Pennsylvania Co. Petitioner

Mr. Daniel Davenport of counsel, submitted to the consideration of the Court a motion for leave to file petitions for writs of mandamus.

959. Sarah R. Ulexis et al. vs. Pffs. in Error. C. J. Oliver

On motion of Mr. W. L. Hippin, leave is hereby granted him to withdraw his appearance as counsel for the defendant in error in this cause.

The State of Nebraska. Complainant. vs. The State of Iowa.

On motion of Mr. J. M. Woolworth, of counsel for the complainant, and in behalf of the Attorney General of the State of Nebraska. It is now here ordered by the Court that leave be, and the same is hereby granted to file a bill of complaint herein, and that a subpoena returnable on the third Monday in January next be issued herein and served, together with copies of said bill, upon the Governor and Attorney General of the State of Iowa.

Ex parte: In the matter of The Kansas City, St. Joseph & Council Bluffs Railroad Co. Petitioner.

Mr. J. M. Woolworth of counsel submitted to the consideration of the Court a motion for leave

to file a petition for a writ of prohibition thereon

E. Herbert Scottin
Admr. &c
vs Appellants
R. G. Gray et al.

The death of R. G. Gray one of the appellees thereon having been suggested to the Court

& this Court and the order of justice thereon prayed it and issued now on motion of Mr. G. H. Mackey, in behalf of counsel, It is ordered that William G. Park, David E. Park, Jacob Faulkner Sr. and J. J. Donnell, Executors of the said R. G. Gray, deceased, be, and they are hereby made parties appellees in this cause.

The United States ex rel:
Anasa A. Redfield.
231 vs. Pff. in Error.
William Windom, Secretary of the Treasury.

Mr. G. H. Mackey of counsel for the pfaintiff in error submitted to the consideration of the Court a motion to advance this cause.

	Dick Duncan	Mr. H. J. Way, of counsel
1174	vs. Appellant.	for the appellant submit-
	P. P. Mc. Call, Sheriff &c.	ted to the consideration
		of the Court a motion

to advance this cause.

	The Texas & Pacific Railway Co	The motions to
1210	vs. Pff. in Error.	dismiss or af-
	The Southern Pacific Company.	firm in this

cause were submitted to the consideration of the Court on the record and printed arguments by Mr. H. J. Leovy, in support of the same and Mr. W. W. Howe, and Mr. John C. Dillon in opposition thereto.

	Mary Coosaduck.	Mr. John Lotus, in be-
84	vs. Appellant.	half of counsel for the
	Kersey Coates as Assignee	appellant, suggested
	of The Mastin Bank	the death of Kersey

Coates, the appellee in the cause, and moved the Court for an order under the 15th. rule to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said Kersey Coates, dec'd

ed, as aforesaid, shall not, within the first two days of the ensuing Term of this Court, the appellant shall be entitled to open the record and on hearing have the decree reversed, if it be erroneous: Provided, however, That a copy of this order shall be printed in some newspaper of general circulation within the State of Missouri, for three successive weeks, at least sixty days before the beginning of the Term of the Supreme Court then next ensuing.

518. W. C. Harper vs. Jeff. in Error. The People of the State of California.

The Counsel of counsel for the defendants in error submitted to the consideration of the Court a motion to dismiss this cause.

519. The Atlantic & Pacific Railroad Company vs. A. D. Leeming, Treasurer ex. officio Tax Collector of Apache County.

Appeal from the Supreme Court of the Territory of Arizona

GPO

This cause having been called to the attention of the Court by Mr. J. S. Browne, of counsel for the appellant, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The United States ex rel. R. Mason Lisle
1195 v. Pff. in Error
John A. Lynch, Fourth Auditor, et al.

Mr. W. U. R. Berry, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

D. H. Ayers et al.
1355 v. Pffs. in Error.
A. E. Watson.

Mr. W. B. Earle, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

Joseph W. Haddock.		In Error to
188.	vs.	Pff. in Error.	the Supreme
William W. Wright, Elizabeth S. Robinson and Calvin L. Robinson.		Court of the State of Florida

This cause having been called to the attention of the Court by Mr. James Lowndes, of counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller

Joseph W. Haddock.		On motion of Mr
188.	vs.	Pff. in Error.	James Lowndes,
William W. Wright et al.		of counsel for the plaintiff in

error, leave is hereby granted the Clerk to issue the mandate in this cause.

	Daniel G. Ambler et al.	On motion of Mr.
1383	vs. Pffs. in Error.	James Lowndes, of
	Isaac Eppinger.	counsel for the plain-

tiffs in error, It is ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to the 32d Rule.

	Cornelius Sewell and Trustee	Appeal from the
589.	vs. Appellant.	Supreme Court
	Samuel Blatchford, Surviving	of the District
	Executor of Richard M. Blatch-	of Columbia.

ford, deceased.

This cause having been called to the attention of the Court by Mr. W. G. Morris, of counsel for the appellant, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

Sunday October 21st 1860 Continued

	Daniel J. Kenney	The cause was
5	vs Appellant	submitted to the
	George W. Bacon et al.	consideration of
		the Court, pursu-

ant to the order of the Court, on the record and printed arguments by Wm. F. Giles, of counsel for the appellant, and Wm. F. Rogers, of counsel for the appellee

	Samuel F. Strickman	On motion of Wm.
57	vs Appellant	W. Otis Kenney, of
	The City of Fort Scott	counsel for the ap-
		pellant in error,

It is ordered by the Court that the cause be, and the same is hereby passed

60 John W. O Brien, Appellant vs Samuel F. Hayward et al.
61 John W. O Brien, Appellant vs Samuel F. Hayward et al
62 John W. O. Brien, Appellant vs Samuel F. Hayward et al.
63 John W. O Brien, Appellant vs Samuel F. Hayward et al.

On motion of Wm. W. O Otis Kenney, in behalf of counsel for the defendants in error, It is ordered by the Court that this case be passed on account of sickness of counsel absent

to the provisions of section 9, Rule 26.

300. Liverpool, London & Globe Insurance Co. vs. Pelf. in Errors. John Butler, Receiver &c. And Peter Butler, Receiver &c. vs. Pelf. in Errors. 301 Mary J. Batow.

Mr. Wm. A. McKenney, in behalf of counsel submitted to the consideration of the Court a motion to advance these cases for argument with case No. 239 on the docket for the present term.

380. Byron W. Smith. vs. Appellant. Artemas Gale et al.

The death of Byron W. Smith, the appellant in this cause, having been suggested at the last term of this Court, and an order of publication granted and issued, now on motion of Mr. William A. McKenney in behalf of counsel. It is ordered that Eliza L. Smith, Executrix of the said Byron W. Smith, deceased, be, and she is hereby, made the party appellant in this cause.

Clifton Stebbins
257 vs. Appellant.
The State of Minnesota.

Mr. Wm D. McKenney in behalf of counsel submitted to the consideration of the Court a motion to advance this cause.

The Davis Sewing Machine Co
218 vs. In Error
Fred. Odell & Company.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule on the record and printed arguments by Mr. William Zimmerman, of counsel for the plaintiff in error, and Mr. Thomas A. Banning and Mr. Ephraim Banning, of counsel for the defendants in error.

E. B. York.
199 vs. Deft. in Error.
The State of Texas.

This cause was submitted to the consideration of the Court pursuant to the 20th rule on the record and printed arguments by Mr. Rufus H. Thayer, of counsel for the plaintiff in error, and Mr. James L. Hogg, of counsel

for the defendant in error.

Hezekiah Bradford. In Error to the
5. vs. Pff. in Error Supreme Court
Harriet C. Miller & Edward C. of the District
Ingersoll, Administrators c.t.a. of Columbia.
de bonis non of John Clark, dec'd.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th. rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Jesse Spalding, Collector etc. On motion of
8. vs. Pff. in Error. Mr. Solicitor
George C. Hodder et al. General Supt
Def It is ordered
Joseph Rutherford et al by the Court
18. vs. Pffs. in Error. that these cases
W. A. Robertson, Collector etc. be, and the

same are hereby passed.

The Washington Market Co
vs. Appellant.
The District of Columbia
et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. A. Birney, of counsel for the appellant and Mr. G. C. Hazelton and Mr. S. T. Thomas of counsel for the appellee.

Johann B. Hoff.
vs. Appellant.
Darrah & Company.

Mr. W. A. McKenney of counsel for the appellee, suggested the death of Johann B. Hoff, the appellant herein, and on motion of Mr. McKenney, It was ordered that the same be, and the same is hereby, passed.

William Ferguson, Isaac A. Ferguson, S. B. Ferguson, William H. Ferguson, Albert L. Ferguson, Ann J. Ferguson, Elvina D. Ferguson, R. L. Jacoby, Lewis Jacoby, Sarah Barbour & R. G. Barbour.

vs. Appellants.

George G. Kent, James E. Dillard, Thomas Buchanan, H. Buchanan, John Johnson, William Barbour, R. O. Parker, The De Soto Building and Loan Association of Memphis, Tennessee, Susan R. Hooper et al.

Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause being called for hearing in its regular order on the docket and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the appellants, pursuant to the 17th rule of this Court. Whereupon it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs: and that this cause

to and the cause is hereby remanded to the said Circuit Court to be proceeded in accordingly to law and justice.

per Mr. Chief Justice Fuller.

O. Herbert Stratton
Deft. &c.
vs. Appellants
William L'Esperance et al Executors &c. et al.

This cause was argued by Mr. O. H. Clarke of counsel for the appellants and submitted on printed argument by Mr. James H. Reed, of counsel for the appellees.

La Confiance Compagnie Anonyme D'Assurances Contre L'Incendie.
vs. Pff. in Error.
John P. Hall.

This cause was argued by Mr. Charles B. Alexander, of counsel for the plaintiff in error and submitted on a printed argument by Mr. Drew Campbell, of counsel for the defendant in error.

Abraham Stenfield. This cause was
19 vs. Appellant argued by Mr. B.
The Washawannuck Manu- H. Dickerson, of
facturing Company et al. counsel for the
appellant, and
Mr. William D. Lemer of counsel for the Appellees.

Simon Glorsheim et al. The argument of
20 vs. Appellants this cause was com-
Gustav Schilling. menced by Mr. L.
L. Coburn of counsel
for the appellants.

Proclamation being made the Court is adjourned
until To-morrow at Twelve o'clock.

Wednesday, October, 22d. 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that William C. Rowe and Elbert Comstock, Esquires of New York City be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr Carleton Hunt it is ordered that Samuel L. Gilmore, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The City of New Orleans.	Mr. Thomas J.
1293	vs. Appellant	Semmes of coun-
	Wm Wallace Whitney, Admr. etc.	sel for Whitney,
	&	Admr submit-
	Wm Wallace Whitney, Admr. etc.	ted to the con-
1320	vs. Appellant.	sideration of
	The City of New Orleans.	the Court a
		motion to ad-

vance these cases.

	Jim Leeper &c vs Ed. Powell.	Mr. W. S. Pilsbury of
1239	vs. Plffs. in Error.	counsel for the
	The State of Texas.	plaintiffs in er-
		ror submitted to

the consideration of the Court a motion to advance this cause.

Henry B. Morrow, Trustee, et al. vs. The Cumberland Telephone and Telegraph Company. Appellants.

224

Mr. Ed. Baxter in behalf of counsel submitted to the consideration of the Court a motion to advance this cause.

The New England Mortgage Security Company. vs. J. C. Travis, Sheriff &c. et al. Appellant.

30

Appeal from the Circuit Court of the United States for the District of Oregon.

This cause being called for hearing in its regular order on the docket and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the appellant, pursuant to the 19th rule of this Court. Whereupon it is now here ordered, adjudged & decreed by this Court that the cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remand

ed to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Fuller.

Simon Glorsheim et al. vs. Gustav Stilling. Appellants.

23. The argument of this cause was continued by Mr. L.L. Bond of counsel for the appellee and concluded by Mr. L.L. Coburn of counsel for the appellants.

The Parrington Stock Yards Co. vs. Charles W. Keith et al. Appellant.

33. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Ed. Baxter of counsel for the appellant. No counsel appeared for the appellees.

John H. Harding vs W.W. Woodcock, Collector &c. Pff. in Error.

29. This cause was argued by Mr. Solicitor General Taft, of counsel for the defendant in error and was submitted on a printed argument by Mr J. Watson

and Mr. L. S. Wilcox of counsel for the plaintiff in error.

The Cork Thread Company. In error to Appellant.
vs.
The Williamantic Linen Co. et al.

The argument of this cause was concluded by Mr. Edmund Wetmore of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday, October, 23d, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius L. C. Lamar.
David J. Brewer.
John G. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Thomas it is ordered that Edward W. Strong, and Gustave Hartmann, Esquires, of Cincinnati, State of Ohio be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. W. B. Hatton it is ordered that

Thomas W. Williams, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that Joseph Paxton Blair, Esquire, of New Orleans, State of Louisiana, and Sydney Richmond Baker, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Daniel Spill.	Appeal from the Circuit
vs. Appellant.	Court of the United States
The Celluloid Manufac-	for the Southern District
turing Company.	of New York.

This cause having been called for hearing in its regular order, and Mr. Thomas W. Williams, of counsel for the appellee, having moved the Court to dismiss this cause in pursuance of the 15th. rule of this Court, and it appearing to the Court that new parties

have not been substituted for Daniel Spell, deceased, as appellants in this cause, as provided by the order of publication issued herein, and proof of the publication of said order having been filed, It is therefore in pursuance of the 15th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

The Clark Thread Company. The argument of
31. vs. Appellant. this cause was con-
The Williamantic Linen Co. et al. tinued by Mr. C.
C. Miller and Mr.
Frances A. Seward of counsel for the appellee and concluded by Mr Edmund Wetmore of counsel for the appellant

The New York Belting & (Exchanged for No 30.)
Packing Company. The argument of this cause
39. vs. Appellant. was commenced by Mr. B. F.
The New Jersey Car Spring Lee, of counsel for the appellant
and Rubber Company. and continued by Mr A. v.
Briesen, of counsel for the appellee. and Mr Lee of counsel for the appellant.
Proclamation being made the Court was adjourned

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius Q. C. Lamar
David J. Brewer.

John M. Wright Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. Ferguson Beach it is ordered that John B. Goode Esquire of Washington, District of Columbia and Morgan H. Beach Esquire of Alexandria, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

48. The United States
vs. Appellant.
The Central Pacific R.R. Co

On motion of Wm. J. K. McCammon, of counsel for the appellee, It is ordered by the Court that this cause be passed, subject to the provisions of section 9 of Rule 26.

76. Harry S. McCarthey
vs. Pff. in Error.
James L. Crittenden et al.

On motion of Wm. Leigh Robinson, in behalf of counsel, It is ordered by the Court that this cause be passed.

337. The Atlantic & Pacific R.R. Co.
vs. Appellant.
J. D. Lesueur, Treasurer etc.

On motion of Mr. A. B. Browne, of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

1366. Walter L. Pease
vs. Pff. in Error.
William B. Ritchie et al

Mr. James S. Harlan, of counsel for the plaintiff in error, suggested the death of Walter L. Pease, and moved the Court that

Sarah W. Pease, Executrix, and Edward P. Lawrence Executor of Walter L. Pease deceased, and Sarah W. Pease, in her own right Sarah Kate Innes Charles Fowler Pease, and Hattie O. Pease devisees of Walter L. Pease deceased, be made the parties plaintiffs in error herein. Whereupon It is now here ordered by the Court that the said Sarah W. Pease Executrix and Edward P. Lawrence Execut. of Walter L. Pease, deceased, and Sarah W. Pease, in her own right, Sarah Kate Innes Charles Fowler Pease and Hattie O. Pease, devisees of Walter L. Pease, deceased, be, and they are hereby, made the parties plaintiffs in error in this cause.

The New York Belting & Packing Company.
vs. Appellant.
The New Jersey Car Spring and Rubber Company.

The argument of this cause was concluded by Mr. B. F. Lee, of counsel for the appellant.

Theodore H. Butler et al.
36 vs. Appellants.
George Stecker et al.

This cause was argued by Mr. Lysander Hill of

counsel for the appellants, and Mr. Edward B. Banning, of counsel for the appellees.

James Wallace Peake.		On motion of Mr.
457	vs. Pff. in Error	Richard De Gray,
The City of New Orleans.		of counsel for the
	Def.	plaintiff in error,
James Wallace Peake et al.		and appellants,
852	vs. Appellants.	It is ordered by the
The City of New Orleans.		Court that three
		counsel be allow-

ed to argue these cases on behalf of the plaintiff in error and appellants, and that four hours be allowed each side for argument.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 27th 1890

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller Chief Justice

Stephen J. Field

Joseph P. Bradley

John M. Harlan Associate

Horace Gray Justices

Samuel Blatchford

Lucius Q. C. Lamar

David J. Brewer

John W. Wright, Esquire Marshal

James H. McKenney Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that George A. King, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury

It is ordered that H. Davenport, Esquire, of the State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. G. Mattingly it is ordered that Daniel O'Connell Callaghan, Esquire, of Washington District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Taft it is ordered that Elmer E. Howe, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

300 George L. Thayer, Trustee vs. Pff. in Error. Peter Butler, Receiver &c. and Peter Butler, Receiver &c. vs. Pff. in Error. Mary J. Eaton.

301

On consideration of the motion to advance this cause and assign same for argument with case No.

239 on the docket for the present term, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the three cases to be heard as one case when No. 239 is reached.

per Mr. Chief Justice Fuller.

R. B. Hooper.
808 vs. Peff in Error.
The People of the State of California

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Dick Duncan.
1174 vs. Appellant.
D. P. Mc. Call, Sheriff of Bexar County, Texas.

On consideration of the motion to advance this case, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of December next.

per Mr. Chief Justice Fuller

Chas Leeper Pltf in Err. vs. Ed. Powell. Deft. in Error. The State of Texas.

1239. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of December next after the case heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The United States: ex rel. R. Mason Lisle. vs. John B. Lynch, Moorth Marshal et al.

1195. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the third Tuesday in November next

per Mr. Chief Justice Fuller

Henry B. Morrow, Trustee et al. vs. The Cumberland Telephone and Telegraph Company. Appellants.

1234. On consideration of the motion to advance the cause. It

is here ordered by the Court that said motion be and the same is hereby granted and the cause assigned for argument on the first Monday in December next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Waite.

Clifton Holden.
vs. Appellant.
The State of Illinois ex.

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of November next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Waite.

The City of New Orleans.
vs. Appellant.
William Wallace Whitney, Admr. etc.

and

William Wallace Whitney, Admr. etc.
vs. Appellant.
The City of New Orleans.

On consideration of the motion to advance these cases. It is now here ordered by

the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on the second Monday of January next.

per Mr. Chief Justice Fuller.

1301. The United States ex rel: Amasa A. Redfield. vs. Pff. in Error. William Windom, Secretary of the Treasury.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the first Monday of December next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1311 P. E. Cook et al. vs. Pff. in Error. The United States.

On consideration of the motion to advance this case and for an order directing that the transcript of the record be printed at the expense of the United States, it is now here ordered by the Court that this case be, and the same is hereby,

adjourned and assigned for argument on the third Monday of November next, after the cases heretofore assigned for that day. And it is further ordered that the writ issue for an order directing that the record be filed with the registrar of the United States Court and the cause is hereby stayed.

per Curiam Chief Justice Waite.

U.S. Appellant & Appellee
vs
A. B. Watson.

On consideration of the motion to advance the case, It is now ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the first Monday of December next after the cases heretofore assigned for that day.

per Curiam Chief Justice Waite.

Ex parte; In the matter of
The Pennsylvania Company.
Petitioner

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here o

dered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Pennsylvania Company. Petitioner. } On petition for a writ of mandamus.

On consideration of the petition of The Pennsylvania Company,

It is now here ordered by the Court that cause be shown by the Judges of the Circuit Court of the United States for the District of Connecticut before this Court on Tuesday the 25th. day of November, 1890. at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not issue as prayed in said petition.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Pennsylvania Company. Petitioner } On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court

that said motion be, and the same is hereby granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Pennsylvania Company. Petitioner. } On petition for a writ of mandamus.

On consideration of the petition of The Pennsylvania Company,

It is now here ordered by the Court that cause be shown by the Judges of the Circuit Court of the United States for the District of Connecticut, before this Court, on Monday the 24th. day of November, 1890, at 12 O'clock noon of that day, or as soon there after as counsel can be heard, why a writ of mandamus should not issue as prayed in said petition.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Kansas City, St. Joseph and Council Bluffs Railroad Company. Petitioner } On consideration of the motion for leave to file

a petition for a writ of prohibition thereon, It is now here ordered by the Court that said motion be, and the same is hereby, denied: but leave is granted to file the petition in support of an application in case No. 1324 on the docket for the present term, for a restraining order, and a rule to show cause why such restraining order should not issue will be thereupon entered thereon returnable on the third Monday of November next.

per Mr. Chief Justice Fuller.

Frank Morrissey. It is ordered by the
991 vs. Plff. in Error. Court that the order
Major David Perry. allowing an appeal
and the waiver of
service of citation be filed herein, and that the
cause proceed as on appeal instead of by writ of error.

per Mr. Chief Justice Fuller.

The Washington Market Company. Appeal from
10. vs. Appellant. the Supreme
The District of Columbia, Seth L. Phelps, Jos- Court of
eph Dent & Wilkins J. Perry, Commissioners the Dis-
of the District of Columbia & James Tuffit trict of
Lew, Treasurer of the United States. Columbia.

Monday, October 27th 1890. Continued.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the appeal in this cause is hereby dismissed with costs, to pay the mandate costs in this Court.

Per Mr. Chief Justice Fuller.

The United States.
vs. Complainant.
The State of Texas.

On motion of the Attorney General leave is granted to file an answer herein.

The Texas Pacific Railway Company.
vs. Appellant
The Baltimore and Ohio Railroad Company.

On motion of Mr. Thomas H. Hubbard counsel for appellant it is ordered that the consideration of the Court in relation to advancing this cause

	William H. Alexander	Mr. Attorney Gen-
1309	vs. Pff. in Error.	eral Miller of coun-
	The United States.	sel for the defend-
	and	ant in error, sub-
	Bood Crumpton, alias	mitted to the con-
	Bood Burris.	sideration of the
1310	vs. Pff. in Error.	Court motions
	The United States.	to advance these
		cases.

	Ex parte: In the matter of	Mr. B. W. Huntington
	William Huntington.	of counsel for
	Petitioner.	submitted to the
		consideration of

the Court a motion for leave to file a petition for a writ of habeas corpus herein.

	Arthur Manchester	Mr. H. C. Bliss, of
1518.	vs. Pff. in Error.	counsel for the de-
	The Commonwealth of	fendant in error,
	Massachusetts.	submitted to the con-
		sideration of the

Court a motion to advance this cause.

John W. Ellsworth, Sheriff &c. vs. Charles C. Walker, Appellant

Mr. E.C.S. Lee of counsel for the appellant submitted to the consideration of the Court a motion to dismiss the cause.

John S. Prouty vs. Cuff in Error. Grand Lake Shore & Michigan Southern Railway Co.

Mr. E.C. Lewis of counsel appeared the bankruptcy of John S. Prouty, the plaintiff in error herein, and moved the Court to make Benjamin Barker, Jr., Assignee in bankruptcy of the said John S. Prouty the party plaintiff in error in this cause. Whereupon, It is now here ordered by the Court that the said Benjamin Barker, Jr., Assignee in bankruptcy of John S. Prouty, deceased, be, and he is hereby made the party plaintiff in error in this cause.

317 Julia H. McLean et al. vs. Appellants. Ruggles W. Clapp et al.

Mr. E.C. Lewis of counsel for the appellants, submitted to the consideration

tion of the Court a motion to reverse the decree of the Circuit Court in this cause.

Stukuya Suguro
1508. vs. Appellant.
Augustus A. Brusk, Agent and Warden etc.

Mr. D. O'C. Callaghan in behalf of counsel submitted to the consideration of the Court a motion to advance this cause.

The United States.
778. vs. Appellant.
Joseph P. Kingsley.

Mr. Solicitor General Taft, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Robert H. Rountree et al.
824. vs. Pffs. in Error.
W. H. Dail et al.

In Error to the Circuit Court of the United States for the Eastern District of North Carolina.

This cause having been called to the attention of the Court by Mr. [illegible] Mackey, of counsel for the plaintiff in error, and he having moved

the Court to dismiss this cause. Wherefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

for the Chief Justice Fuller

Ex parte: In the matter of The Washington & Georgetown Railroad Company. Petitioner. Mr. Enoch Totten of counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Albert G. Babbett vs. Pelf, in Error. Parker P. Clark, George B. Clark & George B. Burnett. In Error to the Supreme Court of the State of Ohio.

120 This cause having been called to the attention of the Court by Mr. James Lowndes, of counsel for the defendants in error, and he having moved the Court to dismiss this cause pursuant to the 15th. rule of this Court, and

it appearing to the Court that new parties have not been substituted for Albert G. Babbitt, deceased, as plaintiffs in error in this cause as provided by the order of publication issued herein, and proof of the publication of said order having been filed, It is, therefore, in pursuance of the 15th. rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

120 Albert G. Babbitt vs. Pff. in Error. Parker P. Clark et al.

On motion of Mr. James Lowndes, of counsel for the defendants in error leave is hereby granted the Clerk to issue the mandate in this cause.

744 James A. Eldredge et al. Executors etc. vs. Appellants. The United States.

75 James A. Eldredge et al. Executors etc. vs. Appellants. The United States.

On motion of Mr. Robert A. Howard and of counsel for the appellants, It is ordered by

the Court that these cases be, and they are hereby continued until the next Term, for Submission of counsel.

George W. White
vs Appellant
Geo. A. Barton et al

The death of George W. White the appellant in this cause having been suggested at the last Term of this Court and an order of publication having been awarded and issued, Mr. William A. McKenney, in behalf of counsel for the appellant moved the Court to make George H. White, Administrator of the said George W. White the party appellant; and suggestion which was approved by Wm. G. Lippitt, in behalf of counsel for the appellees.

Whereupon, It is now here ordered by the Court that the said George H. White, Administrator of George W. White, deceased, be, and he is hereby, made the party appellant in this cause.

935 The Pacific Express Co.
vs. Pet. in Error.
James K. Mc. Dowell.

On motion of Mr W. A. McKenney, in behalf of counsel, It is ordered

by the Court that this cause be, and the same is hereby, advanced, pursuant to the 32d. Rule.

Fred H. Long. vs. James G. Thayer. Appellant.

537. Mr. William A. Mc. Kenney of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the Western District of Missouri.

I, Warren Watson, Clerk of the Circuit Court of the United States for the Western District of Missouri, do hereby certify that in a certain cause lately pending in said Court, wherein James G. Thayer was complainant and Fred H. Long was defendant a final decree was rendered by said Circuit Court on the 20th day of September A.D. 1889, in favor of the said complainant and against the said defendant, and that on the same day the said defendant Fred H. Long prayed and was allowed an appeal to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Circuit Court at Kansas City this 23d day of October

No. 1690.

Filed Warren Watson Clerk

moved the Court to docket and dismiss this cause pursuant to the 9th Rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Western District of Missouri, be, and the same is hereby docketed and dismissed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Josephine P. Waldrow. Plff. in Error. Mr. William A. McKenney, in behalf of counsel, submitted to the consideration of the Court a motion for leave to docket this cause on filing the writ of error, citation, and a stipulation of counsel and for leave to file the transcript of record hereafter.

vs.

Mary A. Waldrow.

~~1084.~~ Pattie A. Clay, Appellant vs. Richard L. Gridley et al
1085. Lucy P. Brennan " " " Pattie A. Clay et al.
1091. David J. Field " " : Pattie A. Clay.

These cases were submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. W. L. Wright, of counsel for Clay, Mr. Edward Mayes, of counsel for Brennan, and Mr. Frank Johnston and Mr. J. B. McNaughton of counsel for Field.

James Wallace Peake,
1459. vs. Pff. in Error.
The City of New Orleans.

James Wallace Peake et al.
852. vs. Appellants
The City of New Orleans.

Appellants

The argument of these cases was commenced by Mr. Richard De Gray, and continued by Mr. Grover Cleveland, of counsel for the plaintiff in error and appellants

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, October 28th, 1890

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar
David J. Brewer.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

The Fitzgerald & Mallory Construction Company.
vs. Pff. in Error.
John Fitzgerald.

41. The cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and printed arguments by Mr. John G. Dillon and Mr. O. A. Duncan of counsel for the plaintiff in error, and Mr. W. H. Tillinghast of counsel for the defendant in error.

1317. P. Crowley, Chief of Police etc. vs. Henry Christensen. Appellant.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule on the record and printed arguments by Mr. J. Ellis of counsel for the appellant and Mr. J. D. Redding of counsel for the appellee.

1139 James Wallace Peake. vs. The City of New Orleans. Plff. in Error. And

1322 James Wallace Peake et al. vs. The City of New Orleans. Appellants.

The argument of these cases was continued by Mr. Carleton Hunt of counsel for the defendant in error and appellee, and Mr. Thomas J. Semmes of counsel for the plaintiff in error and appellants.

Proclamation being made the Court is informed until to-morrow at twelve o'clock.

Wednesday October 8th 1890

Pursuant to adjournment the Court met to-day at the Capitol

Present,

The Honorable Frederick W. Sutton, Chief Justice

Stephen J. Bond,

Joseph P. Bradley

John Lee Hoffman Associate

Hooper Hoey Justices

Samuel Bickford

Lucius L. Lamar

Orlando F. Bronson

John W. Forney, Esquire, Marshal.

James A. McKenney, Clerk

Proclamation duly made the Court is opened

On motion first made to the Court in this behalf by Mr. Carlton Hunt it is ordered that John Henry Keene jr. and Joseph S. Davis, Esquires, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter D. Davidge it is ordered that

Leigh Clark, Esquire, of St Paul State of Minn. be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

459 James Wallace Peake. vs. Pff. in Error. The City of New Orleans.

And

853 James Wallace Peake et al. vs. Appellants The City of New Orleans.

The argument of these cases was concluded by Mr. Thomas J. Semmes, of counsel for the plaintiff in error and appellants.

1142 Edward Smith. Pff in Error vs The United States
1143 Henry Jones, " " " " " " " " "
1144 George S. Key. " " " " " " " " "

Ordered by the Court that three counsel be allowed to argue these cases on behalf of the plaintiffs in error.

1142 Edward Smith Pff in Error vs The United States
1143 Henry Jones " " " " " " " " "
1144 George S Key " " " " " " " " "

The argument of these cases was commenced by Mr. E. J. Waring, of counsel for the plaintiffs in error continued by Mr. John Henry Hanna, Jr. of counsel for the plaintiffs in error, and Mr. Attorney General Miller, of counsel for the defendant in error and concluded by Mr. Archibald Stirling, of counsel for the plaintiffs in error.

The Attorney General of the Commonwealth of Massachusetts

126 vs. Appellant

The Western Union Telegraph Company.

The Western Union Telegraph Company.

127 vs. Appellant

The Attorney General of the Commonwealth of Massachusetts

The Attorney General of the Commonwealth of Massachusetts

128 vs. Appellant

The Western Union Telegraph Company.

The Western Union Telegraph Company

129 Appellant

The Attorney General of the Commonwealth of Massachusetts

The Attorney General of the Commonwealth of Massachusetts

130 vs. Appellant.

The Western Union Telegraph Company.

The Western Union Telegraph Company

131 vs. Appellants.

The Attorney General of the Commonwealth of Massachusetts

Ordered by the Court that these cases be postponed for argument before a full bench.

774 The United States. vs. Appellant. The Trinidad Coal and Coking Co. Appellee.

The argument of this cause was commenced by Mr. Assistant Attorney General Maury of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, October, 30th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar
David J. Brewer.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that O. L. Thornton, Esquire, of Versailles, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court [illegible]

774. The United States vs. The Richmond Coal & Coking Co. Appellant

The argument of this cause was continued by Mr.

Assistant Attorney General Maury, of counsel for the appellants, and Mr. Charles E. Gast and Mr. A. B. Browne, of counsel for the appellee, and concluded by Mr. Maury for the appellants

John Broom et al. vs. James B. Armstrong. Appellants. This cause was argued by Mr. Samuel Shellabarger of counsel for the appellants, and Mr. John B. Goode of counsel for the appellee.

40

Gustav Dack et al. vs. W.N. Robertson, late Collector etc. Pffs. in Error. The argument of this cause was commenced by Mr. Joseph H. Choate, of counsel for the plaintiffs in error

30

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, October 31st, 1870

Pursuant to adjournment the Court met to
day at the Capitol

Present

The Honorable Nathan C. Clifford Chief Justice
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Noah Swayne Justices
Samuel Blatchford
Lucius Q. C. Lamar
David J. Brewer
John M. Wright, Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by
Mr. P. V. Dodge it is ordered that C. A. Sawyer and
James D. Rice, Esquires of Washington, District of
Columbia, be admitted to practice as attorneys and
counsellors of this Court & they were sworn accordingly.

Gustav Falk et al. The argument of
35 vs. Pffs. in Error. this cause was
W. H. Robertson, late Collector etc. continued by Mr

Assistant Attorney General Maury of counsel for the defendant in error, and concluded by Mr. Joseph H. Choate, of counsel for the plaintiffs in error.

Catherine Gisselbrecht.
42. vs. Pff. in Error.
The Chicago, Milwaukee and St. Paul Railway Co.

The argument of this cause was commenced by Mr. B. F. Dunwiddie, of counsel for the plaintiff in error.

The Court declined to hear further argument.

John Dobson et al.
43. vs. Appellants.
James Lee et al.

This cause was argued by Mr. Francis T. Chambers, of counsel for the appellants, and Mr. Hector G. Cantow, of counsel for the appellees.

William G. Miller
45. vs. Appellant.
W. W. Thompson, Deputy Sheriff of DeKalb County, Georgia.

Appeal from the Circuit Court of the United States for the Northern District of Georgia.

This cause being called for hearing in its regular order on the docket and it appearing

to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same. It is considered by the Court that this cause should be dismissed at the cost of the appellant, pursuant to the 19th. rule of this Court. Whereupon. It is now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed with costs. and that this cause be and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Fuller

John G. Williams Admr. etc. vs. The United States. Appellant.

The argument of this cause was commenced by Mr. George A. Boutwell, of counsel for the appellant

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, November, 3d, 1890.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Associate Justices

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is ordered that Samuel Ashton, Esquire, of New York City and Theodore G. McMinn, Esquire, of San Antonio, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

G. B. York. In Error to the Supreme
vs. Court of the State of Texas.
The State of Texas.

199

Monday, November, 3d, 1890. Continued

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Dissenting:
Mr. Justice Bradley
Mr. Justice Gray.

D. Herbert Hostetter, Executor of David Hostetter, deceased, late surviving partner of the firm of Hostetter and Smith. Appeal from
vs. Appellants. the Circuit
William G. Park, David E. Park, Court of the
Jacob Painter Jr. and J. J. Dowell, United States
Executors of R. C. Gray, deceased, for the West-
and Alexander H. Miller, W. A. Cald- ern District
well, James P. Dowell and C. E. Hoffman of Pennsylvania
Executors of M. W. Beltzhoover, dec'd

This cause came on to be heard on the Trans

cript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Theodore K. Butler et al
vs. Appellants.
George Steckel et al.

36. On death of George W. Barhart, one of the appellants in this cause, hereup[on] [illegible] suggested. It is now here ordered by the Court that Charles W. Rogers, Administrator of George W. Barhart, deceased, be, and he is hereby, made a party appellant herein.

Theodore K. Butler Charles W. Rogers, Administrator of George W. Barhart, deceased & William W. Crawford.
vs. Appellants.
George Steckel and Frederick Steckel.

36 Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr Justice Blatchford.

The Rock Island Improvement Company. vs. Edward S. Gluck and James W. Odell, copartners as Gluck and Company. 218 Pff. in Error

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

29. John H. Harding. vs. Pff. in Error. W. W. Woodcock, Collector of Internal Revenue. In Error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

317. Julia H. McLean et al., vs. Appellants. Ruggles W. Clapp et al. On consideration of the motion to reverse the decree of the Circuit Court in this cause for the want of jurisdiction in that Court. It is now here ordered by the Court

that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

The United States.
778. vs. Appellant.
Joseph B. Kingsley.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday of January next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

William H. Alexander.
309. vs. Pff. in Error.
The United States.

On consideration of the motion to advance this case, It is now here ordered by the Court that said motion be and the same is hereby, granted and the cause assigned for argument on the second Monday of January next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Bood Bumpstow alias Bood Burris.
1310 vs. Pff. in Error
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday of January next & in the order therefore assigned for that day.

per Mr. Chief Justice Fuller.

The Inter State Commerce Commission.
1438 vs. Appellant.
The Baltimore & Ohio Railroad Company.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted and the cause assigned for argument before a full bench.

per Mr. Chief Justice Fuller.

1508 Sidney Jugiro
vs. Appellant.
Augustus A. Brush, Agent and Warden etc.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the third Monday of November after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1518 Arthur Manchester
vs. Pff. in Error
The Commonwealth of Massachusetts.

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument before a full bench.

per Mr. Chief Justice Fuller.

1529 John M. Matkerson, Surv. Gen. Ter.
vs. Appellant
Charles A. Peters

On consideration of the motion

to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument before a full bench.

per Mr. Chief Justice Fuller.

Josephine P. Waldrow. vs. Mary A. Waldrow. Pff. in Error

On consideration of the motion for leave to docket this cause on filing the writ of error, citation and stipulation of counsel, and for leave to file the transcript of the record hereafter, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Washington & Georgetown Railroad Company. Petitioners.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted

per Mr. Chief Justice Fuller.

Ex parte: In the matter of the Washington & Georgetown Railroad Company. Petitioner. On consideration of the petition of the Washington and Georgetown Railroad Company, It is now ordered by the Court that cause be shown by the Chief Justice and Associate Justices of the Supreme Court of the District of Columbia, before this Court on Monday the 17th day of November, 1890 at 12 o'clock noon of that day or as soon thereafter as counsel can be heard why a writ of mandamus should not issue as prayed in said petition.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Wilbur Huntington. Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

La Confiance Compagnie Anonyme D'Assurance Contre Incendie		In Error to the Circuit Court of the United States for the Eastern District of Missouri.
11.	vs. Pff. in Error.	
John C. Hall.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to remand the case to the State Court.

per Mr. Chief Justice Fuller.

Catherine Pickering		In Error to the Circuit Court of the United States for the Western District of Wisconsin.
42.	vs. Pff. in Error.	
The Chicago, Milwaukee & St Paul Railway Company.		

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

The Texas & Pacific Railway Company. vs. The Southern Pacific Company. — In Error to the Supreme Court of the State of Louisiana.

1910 Deff. in Error

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Louisiana, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs

Abraham Stenfield,		Appeal from the
19.	vs. Appellant.	Circuit Court of
The Hoshawannuck Manu-		the United States
facturing Company. Christopher		for the Southern
Meyer, President. Geo. H. Newman		District of New
Treasurer & E. E. Carder, Agent.		York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Order.

Ordered That the following additional rule of this Court is adopted and promulgated:

35.

Writs of Error under Section 6, of the Act of February 6, 1889, Chap 113 (25 Stat. L. 656)

1. The plaintiff in error shall file with the Clerk of the Court below with the petition

for the writ of error, an assignment of errors, which shall set out separately and particularly each error asserted and intended to be urged. No writ of error shall be allowed until such assignment of errors shall have been filed. When the error alleged is to the admission or to the rejection of evidence, the assignment of errors shall quote the full substance of the evidence admitted or rejected. When the error alleged is to the charge of the Court, the assignment of errors shall set out the part referred to *totidem verbis*, whether it be in instructions given or in instructions refused. Such assignment of errors shall form part of the transcript of record and be printed with it. When this is not done, counsel will not be heard, except at the request of the Court: and errors not assigned according to this rule will be disregarded, but the Court, at its option, may notice a plain error not assigned.

2. The plaintiff in error shall cause the record to be printed according to the provisions of sections 2, 3, 4, 5, 6 and 9, of Rule 10

— Order —

It is ordered, That the following allotment be made of the Chief Justice and Associate Justices of this Court among the Circuits agreeably to the act of Congress in such cases made and provided, and that such allotment be entered of record, viz:

For the First Circuit. Horace Gray, Associate Justice
For the Second Circuit. Samuel Blatchford, Associate Justice
For the Third Circuit: Joseph P. Bradley, Associate Justice
For the Fourth Circuit: Melville W. Fuller, Chief Justice
For the Fifth Circuit: Lucius Q. C. Lamar, Associate Justice
For the Sixth Circuit: David J. Brewer, Associate Justice
For the Seventh Circuit: John M. Harlan, Associate Justice
For the Eighth Circuit. David J. Brewer, Associate Justice
For the Ninth Circuit: Stephen J. Field, Associate Justice.

1311

B. E. Poole et al. vs. Pffs. in Error. The United States.

Mr. Solicitor General that having presented in open Court the affidavit of the plaintiffs in error stating their inability to pay the costs incident to the prosecution of this writ and having moved the Court that they be allowed to proceed in forma pauperis. It is ordered

time ordered by the Court that the said plaintiffs in error be permitted to prosecute their cause in this Court in forma pauperis and that counsel for said plaintiffs in error be and is hereby allowed to print such portions of the record as may be deemed necessary to the hearing of the cause and that the expense thereof be allowed in the taxation of costs in favor of the party prevailing in this cause, any other portions of the record that may be deemed necessary for the hearing.

It is further ordered by this Court that such parts of the transcript of the record be printed at public expense.

S. B. Doole et al. vs. The United States. In error to the District Court of the United States for the Northern District of Texas.

1911. This cause coming on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Texas and was argued by counsel for the defendant in error, on consideration whereof, It is ordered by this Court that this cause be re-assigned for argument on the second Monday of December next.

	Arthur P. Salsow.	In Error to the Cir-
799.	vs. Pff. in Error.	cuit Court of the
	William H. Robertson,	United States for the
	late Collector of the Port	Southern District of
	of New York	New York

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Maury, of counsel for the defendant in error, and he having moved the Court to reverse the judgment of the Circuit Court and remand this cause for a new trial, Wherefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to grant a new trial.

per Mr. Justice Bradley.

	C. A. Auffmordt et al.	Mr. A. J. Willard,
78.	vs. Pffs. in Error.	in behalf of coun-
	E. L. Holdane Collector &c.	sel for the Plain-
		tiffs in Error moved

the Court to postpone the case for hearing upon a full court. Whereupon, It is ordered by the Court that said motion be and the same is hereby denied.

The United States
vs
Alfred Griggs et al

On motion of the District Attorney leave of Court is granted for the plaintiff to enter. It is ordered by the Court that the cause be passed subject to the provisions of section 5 Rule 6.

The United States
vs
Alfred Griggs et al

On motion of the District Attorney leave of Court is granted for the defendant to file his answer herein. It is ordered by the Court that the defendant be and he is hereby granted thirty days from date.

1171. The Texas Land & Cattle Co. vs. Jeff. in Error. J. W. Scott.

The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. A. W. Houston, in support of the same.

William Caldwell. vs. Jeff. in Error. The State of Texas

On motion of Mr A. H. Garland, on behalf of counsel, leave is hereby granted to docket and prosecute this cause in this Court in forma pauperis.

1169. John G. Williams, Admr. &c. vs. Appellant. The United States.

The argument of this cause was continued by Mr George S. Boutwell, of counsel for the appellant, and Mr Assistant Attorney General Parker, of counsel for the appellee, and concluded by Mr. P. E. Dye, of counsel for the appellant.

47 J. G. Seiberger, Collector &c. vs. Bernard Cahn et al. Pff. in Error.

This cause was argued by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error and Mr. Edwin B. Smith, of counsel for the defendant in error

49 Alfred Carusleau vs. The United States. Pff. in Error.

The argument of this cause was commenced by Mr. R. T. Mc. Merrick of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar
David J. Brewer.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Alfred Earnshaw.
vs. Error.
The United States.

The argument of this cause was continued by Mr. R. C. McMurtrie, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Maury, of counsel for the defendant in error, and concluded by Mr. McMurtrie, for the plaintiff in error.

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Morgan Louisiana & Texas Railroad & Steamship Co
vs. Appellant
The Texas Central Railway Company et al.

&

The Texas Central Railway Company
vs. Appellants
Morgan Louisiana & Texas Railroad & Steamship Co et al

Mr. Justice Swayne
was assigned by
the Chief Justice
to deliver the
judgment of the
Court in these
cases.

Mr. Justice Swayne and Mr. Justice Strong dissent.

The Clerk will enter an order that the mandate in each case be stayed for thirty days.

Court adjourns today until the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

574 The St. Paul & Pacific Railroad Company et al. vs. The Northern Pacific Railroad Company — Appellants

The argument of this cause was commenced by Mr. S. U. Pinney, of counsel for the appellants and continued by Mr. James McVeagh of counsel for the appellee.

Proclamation being made the Court is adjourned

Thursday November 10th 1870

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable William H. Waller Chief Justice

Stephen A. Booth

Joseph B. Moseley

John Lee Morton Associate

Horace Emery Justices

Samuel Strickland

Lucius H. Polhamus

David A. Brewer

John H. Wright Esquire Marshal

Lewis H. McKinney Clerk

Proclamation being made the Court is opened.

On motion ordered that the Court in the absence of the Attorney General of the State of New York be authorized to prescribe the mode and examination of the Counsel and to admit persons accordingly.

Hannah A. Pease & Edward Q. Sweetser, Executors & Executor of Walter L. Pease, deceased et al.
1306 vs. Pffs. in Error.
William B. Ritchie, William E. Hale & Francis D. Wheeler.

In Error to the Supreme Court of the State of Illinois.

This cause having been called to the attention of the Court by Mr. Henry A. Gardner, in behalf of counsel, and a motion by plaintiffs in error to dismiss this cause having been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

The St. Paul & Pacific Railroad Co. et al.
514 vs. Appellants
The Northern Pacific Railroad Company.

The argument of this cause was continued by Mr. O. H. Garland, of counsel for the appellee, and concluded by Mr. George B. Young of counsel for the appellants

24. The St. Paul, Minneapolis and Manitoba Railway Co. — Appellant. vs. Charles W. Greenalgh et al. — Respt.

And

25. The St. Paul, Minneapolis and Manitoba Railway Co. — Appellant. vs. Charles Wenzel. — Respt.

These causes were argued by Mr. J. H. Penney, of counsel for the appellant and submitted on a printed argument by Mr. E. J. R. McMillan of counsel for the appellees.

26. The St. Paul, Minneapolis and Manitoba Railway Co. — Appellant vs. Ransom Phelps. — Respt.

This cause was argued by Mr. J. H. Penney, of counsel for the appellant and leave was granted counsel for the appellee to file a printed argument and counsel for appellant to file a reply thereto, on or before November 15th.

Edward G. Lawrence, Admr. et al.

56. vs. Appellants.

Henry W. Rector.

The argument of this cause was commenced by Mr. Henry O. Trautmer, of counsel for the appellants.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Friday November 7th. 1890

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Horace Gray Justices
Samuel Blatchford
Lucius L. C. Lamar
Edward D. Brewer.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court on the behalf by Mr. Charles E. Shepard it is ordered that J. H. McCrory, Esquire, of Fond du Lac, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that

Lucius W. Elie, Esquire of San Antonio State of Texas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

61. The County of Pond du Lac, vs Plff. in Error. Sarah Tilly. On motion of Mr. W. Hallett Phillips, in behalf of counsel for the defendant in error, It is ordered by the Court that this cause be passed until No. 94 is reached, on account of sickness of counsel.

758. The United States vs. The Central Pacific Railroad Co

764 The Central Pacific Railroad Co. vs. The United States. On motion of Mr. Solicitor General Esq. It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on the 17th. inst and after the cases heretofore assigned for that day.

56. Edward P. Laurence, Admr. &c. et al vs. Henry Ide, Lessee. Appellants. The argument of this cause was continued by Mr. Henry A. Gardner, of counsel for the appellants, and Mr. H. W. Rose and Mr. O. H. Garland, of counsel for the appellee, and concluded by Mr. F. W. Williams, of counsel for the appellants.

57. W. S. Gurney Jr. et al. vs. The County of Patrick. Plffs. in Error. The argument of this cause was commenced by Mr. A. B. Browne, of counsel for the plaintiffs in error. The Court declined to hear further argument, but granted counsel leave to file printed arguments on the question of jurisdiction.

58. The Western Electric Co. vs. Henry J. Reedy. Appellant. The cause was argued by Mr. George P. Barton of counsel for the appellant, and submitted on a printed argument by Mr. E. E. Wood and Mr. Edward Bayne

of counsel for the appellee.

60. Henry Revere et al. vs. Appellants. The Steamship "Haverton" etc.

This cause was argued by Mr. James Parker, of counsel for the appellants and submitted on a printed argument by Mr. James McDonell of counsel for the appellee.

63. W. P. O'Bryan & Co. vs. Pffs. in Error. Sauter and Company.

This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. L. W. Moore, of counsel for the plaintiffs in error, and Mr. A. W. Rose and Mr. L. C. Rose of counsel for the defendants in error.

Thereupon leave being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that J. J. Crittenden, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn in accordingly.

On motion first made to the Court in this behalf by Mr Assistant Attorney General Maury

It is ordered that James W Perry, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in due form of law by Mr. Solicitor General Taft it is ordered that Albert P. Jenks, Esquire of Brooklyn, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in due form of law by Mr. P. C. Fletcher it is ordered that J. Frank O'Hay, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Walter Evans it is ordered that James L. Pilcher, Esquire, of Nashville, State of Tennessee and James A. Magarahan, Esquire of Pittsburgh, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is ordered that Jonas Hutchinson, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Simon Rosenheim and Thomas K. Ball	Appeal from the Cir-
vs.	cuit Court of the Un-
28 Appellants.	ited States for the Nor
Gustav Schilling.	thern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar

1109 David J. Hennessy, Appellant. vs. George C. Bacon & Edward G. Rogers. Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

1317 P. Crowley, Chief of Police of the City & County of San Francisco State of California vs. Henry Christensen, Appellant. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On

consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to take further proceedings in conformity with the opinion of this Court.

per Mr. Justice Field.

The Iron Silver Mining Co
vs. Plff. in Error
The Mike & Starr Gold & Silver Mining Co.

6

The Iron Silver Mining Co.
vs. Plff. in Error.
The Mike & Starr Gold & Silver Mining Co.

7.

And

John L. Sullivan et al.
vs. Plffs. in Error.
The Iron Silver Mining Co.

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It is ordered that these cases be re-argued before a full Court, and then as one case. And the attention of counsel is specially directed to the discussion of the following questions:

First: What constitutes a lode or vein with

in the meaning of Sections 2320 and 2333 of the Revised Statutes?

Second. What constitutes a "known lode or vein" within the meaning of section 2333?

Third. In what manner must the existence of such lode or vein be indicated to enable the applicant for a placer patent to describe it, & tender the price for it per acre required by the government?

Fourth. Whether the existence of such lode or vein must be known, and its purchase applied for when the application is made for the placer patent, and whether a lode or vein will be excluded from the patent, which is discovered after such application and before the patent is issued?

Fifth. Whether evidence of the existence of lodes or veins in the immediate vicinity of a placer claim is admissible to the jury, as tending to show the existence of such lode or vein within the boundaries of the claim? and,

Sixth. Whether there was any legal evidence for the jury of the vein or lode claimed by the defendants in error in the first two cases Nos. 6 and 7, or by the plaintiffs in error in

the third case, No. 16?

Counsel of the parties are required to produce on the re-argument models and diagrams showing the position and form of the placer claim of the plaintiff in error in No. 16, and the position in it of the alleged locks of the defendant in error in Nos. 6 and 7, & plaintiffs in error in No. 16, and also of the tunnel alleged to run into the said claim, and also of the adjoining land so far as may be necessary to a full understanding of the questions involved.

per Mr. Chief Justice Fuller

The Texas Land & Cattle Company, Limited. vs. A. W. Scott. 471.

In Error to the Circuit Court of the United States for the Western District of Texas.

Plff. in Error

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here or-

dered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for want of jurisdiction.

per Mr. Chief Justice Fuller.

Alfred Earnshaw.
49 vs. Pff. in Error
The United States.

It is ordered by the Court that this case be restored to the docket for re-argument before a full bench.

per Mr. Chief Justice Fuller.

The Western Electric Company.
58 vs. Appellant
Henry J. Reedy.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, this Court being equally divided in opinion. It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same

is hereby affirmed with costs.

W. C. O'Bryan, doing business as W. C. O'Bryan & Company. Plff. in Error.
93. vs.
Lester & Company, a firm composed of William W. Lester, & William J. Wickens. In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas.

per Mr. Chief Justice Fuller.

	One Distilling Apparatus	In Error to the Circuit
	vs.	Court of the United
1972	Peff. in Error.	States for the Northern
	The United States.	District of Ohio.

This cause having been called to the attention of the Court by Mr Attorney General Miller, of counsel for the defendant in error, and a stipulation to dismiss this cause having been filed Therefore in pursuance of said stipulation It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

	The United States.	Mr. Attorney General
735	vs. Appellant.	Miller, of counsel for
	The Missouri, Kansas &	the appellant, submit-
	Texas Railway Co. et al.	ted to the consideration of the Court a

motion to advance this cause.

	The United States	Mr. Attorney General
1178	vs. Plaintiff	Miller, of counsel for
	Clark Brewer et al	the plaintiff, submitted

to the consideration of the Court a motion to advance this cause

Good Crumpton, alias Good Burns
vs. Plff. in Error
The United States.

On motion of Mr. D. A. Hartwell on behalf of counsel it is ordered by the Court that leave be and the same is hereby granted the plaintiff in error to prosecute this cause in forma pauperis in this Court.

Ex parte. In the matter of Eugene M. Cravens
Appellant

Mr. J. M. McPherson on behalf of Eugene M. Cravens appellant submitted

to the consideration of the Court a motion to advance this cause

John E. Alexandre et al., Executors &c., et al.
vs. Appellants.
John Maclean et al.

The motion to remand this cause and the record thereon to the Circuit Court was

argued by Mr. R. H. Benedict, in support of

the same, and Mr. George A. Black in opposition thereto.

The Oakland Electric Light and Motor Company. vs. Nathaniel S. Keith

No. 1818. Pffs. in Error.

Mr. John Rideout, of Counsel for the defendant in error, having filed in open Court, the following certificate, to wit:

"In the Circuit Court of the United States. in and for the Northern District of California.

I, L. S. B. Sawyer, Clerk of the Circuit Court of the United States for the Northern District of California do hereby certify that in a certain cause pending in said Circuit Court wherein Nathaniel S. Keith was plaintiff and Oakland Electric Light and Motor Company was defendant a final judgment was rendered by said Circuit Court on the 6th day of March A.D. 1890. in favor of said plaintiff, and against the said defendant, and that on the 31st. day of March 1890. said defendant prayed a writ of error to the Supreme Court of the United States which was duly sued out and allowed.

In testimony whereof, I have hereunto

subscribed my name and affixed the seal of said Circuit Court this 16th day of October, A.D. 1890.

L. S. B. Sawyer.

[Seal] Clerk U.S. Circuit Court, Northern District of California."

moved the Court to docket and dismiss this cause pursuant to the 7th rule: and it appearing to the Court that the plaintiff in error has failed to have its cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Northern District of California, be, and the same is hereby docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law & justice.

per Mr. Chief Justice Fuller

1516 B. R. Handley et al. vs. Sebastian Stuhr et al. — Appellants. This cause was advanced pursuant to the 31st Rule & submitted on printed.

arguments by Mr. E. H. Bush and Mr. G. L. Bis-
sher, of counsel for the appellants and Mr. Wal-
ter Evans and Mr. James R. Macfarlane, of
counsel for the appellees.

222. B. J. Sage
vs. Pff. in Error.
The Board of Liquidation
of the State of Louisiana.

On motion of Mr.
B. J. Sage, It is or-
dered by the Court
that this case be
passed until No.
537 is reached then to be argued with that case
as one case.

69. The Sugar Manufacturing Co
vs. Appellants.
W. A. Wright Comptroller Gen-
eral et al.

Ordered by the
Court that this
cause be passed
on account
of sickness of
counsel subject to the provisions of section 2. Rule
26.

70. L. O Brown et al
vs. Appellants.
William B. Hazzard.

Appeal from the Su-
preme Court of the
Territory of Washington.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Washington.

per Mr. Chief Justice Fuller.

The Fourth National Bank of the City of New York. Appellant.
vs.
The American Mills Co. et al.

This cause was argued by Mr David Willcox of counsel for the appellant, and Mr. Alexander Shand of counsel for appellee

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A. S. Solomons. Appellant.
vs.
The United States.

The argument of this cause was commenced by Mr. Lewis Abraham, of counsel for the appellant and continued by Mr. Solicitor General, of counsel for the appellee

Tuesday, November 11th, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar
David J. Brewer.

John M. Wright, Esquire, Marshal.

James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. B. Wayne it is ordered that Oliver W. Porter, Esquire of Lincoln, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that

Tuesday, November 11th, 1890. Continued.

P. A. Culberson, Esquire of Dallas State of Texas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter C. Shaw it is ordered that Morris P. Brewer and W. B. Hale, Esquires, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Coke it is ordered that James Stillman, Esquire of New York City, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

T. S. Sobernois
vs. Appellant.
The United States.

The argument of this cause was concluded by Mr. Benjamin F. Butler of counsel for the appellant

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65 George L. Wheeler
vs. Pff. in Error.
Theodore G. Jackson, Registrar &c.

66 And
William M. Mac. Farlane
vs. Pff. in Error.
Theodore G. Jackson, Registrar &c.

These cases were argued by Mr. John J. Townsend of counsel for the plaintiffs in error and Mr. Almet B. Lake of counsel for the defendant in error.

67 Thomas J. Welham
vs. Pff. in Error.
John K. Valentine, Executor &c.

The argument of this cause was commenced by Mr. J. M. Wilson, of counsel for the plaintiff in error, and continued by Mr. Samuel Dickson, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Wednesday, November 12th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray Justices
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Alphonso Hart it is ordered that Edgar Sowers, Esquire of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

67 Thomas J. Meehan. vs. Peff. in Error. John K. Valentine, Executor etc. — The argument of this cause was continued by Mr. Richard C. Dale of counsel for the defendant in error, and concluded by Mr. Samuel Shellabarger of counsel for the plaintiff in error.

68 Hamline L. French. vs. Appellant. Oliver P. Carter et al. — This cause was argued by Mr. George H. Fletcher of counsel for the appellant, and Mr. James M. Perry, of counsel for the appellee.

71 The Buell Commission Co. et al. vs. Appellants. Grant M. Stivers et al. — The argument of this cause was commenced by Mr. James B. Wayman, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Stephen J. Field.

Joseph P. Bradley

John M. Harlan Associate

Horace Gray Justices

Samuel F. Miller

Lucius Q. C. Lamar.

David J. Brewer.

John M. Wright. Esquire, Marshal

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Thomas Adams et al. vs. Appellants
Charles P. Noel. } Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, ordered

Now ordered, adjudged and decreed by this Court that the appeal be and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

71. The Russell Printing Co. et al vs. Frank W. Stevens et al. Appellants.

The argument of this cause was continued by Mr. James B. Thayer, of counsel for the appellants, and Mr. Thomas W. Porter, of counsel for the appellees, and concluded by Mr. Thayer for the appellants.

72. The Power & Baker Sewing Machine Company vs. William P. Radcliffe. Pff. in Error.

The argument of this cause was commenced by Mr. Albert Comstock, of counsel for the plaintiff in error, and continued by Mr. John J. Bennett, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday November 14th 1870.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Joseph P. Bradley
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar
David J. Brewer
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Dick Duncan. The motion to dismiss
174 vs. Appellant. in this cause was
C. P. McCall, Sheriff etc. submitted to the con-
sideration of the
Court on the record and printed arguments by Mr. James L. Hogg, in support of the same, and Mr. A. H. Garland, Mr. H. J. May and Mr. E. J. McMunn, in opposition thereto.

Andrew J. Riker
vs. Appellant
Thomas W. Wolf et al
Executors &c. et al.

On motion of Mr. Andrew J. Riker, leave is duly granted him to docket this appeal on entering his appearance in propria persona.

The Grover & Baker Sewing Machine Company,
72 vs. Pff. in Error.
William P. Radcliffe.

The argument of this cause was continued by Mr. John A. J. Creswell, of counsel for the defendant in error, and concluded by Mr. Albert Constable, of counsel for the plaintiff in error.

Thomas L. King.
47 vs. Pff. in Error.
John W. Noaw.

This cause was argued by Mr. Thomas P. Brewer, of counsel for the plaintiff in error. and Mr. W. B. Hale of counsel for the defendant in error.

78. B. A. Auffmordt et al. vs. Pepp. in Error E. L. Hedden, Collector etc.

The argument of this cause was commenced by Mr. H. E. Wa... main, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Attorney General Miller it is ordered that William A Moore, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Woolworth it is ordered that

Wm W. Wiseman, Esquire of Omaha State of Nebraska, and Wesley D. Wiseman, Esquire of St Joseph, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. A. B. Wilson it is ordered that A W Childs Esquire of St Paul State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. L. A. Evans it is ordered that John W Reed Esquire of Nemaha City, State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Enoch Sutton it is ordered that Charles W Bunn, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and

he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that Richard Randolph McMahon, Esquire, of Lexington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Edward G. Lawrence, Administrator of David Ballentine, deceased, James M. Ballentine, Mary E. Lawrence, Harry D. Ballentine, Harriet E. Connolly et al. vs. Henry M. Rector.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

86 Appellants.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby modified, each

party to pay one half of the costs in this Court and one half of the cost of printing the record: and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court

per Mr. Justice Brewer.

The United States	Appeal from the Circuit Court
vs. Appellant.	of the United States for the
John Crumley	District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to take such further proceedings as shall be in conformity with the opinion of this Court

per Mr. Justice Brewer

Frank Morrissey		Appeal from the Circuit Court
731	vs. Appellant.	of the United States for the
Major David Perry.		Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Steamer "Wm Morris" her engines		Appeal from the Circuit
etc. John Morris, Claimant.		Court of the United States
44	vs. Appellant.	for the Southern Dis-
Patrick Curry.		trict of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the

question certified by the said Circuit Court be, and it is hereby, answered in the affirmative, and that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of New York

per Mr. Justice Blatchford.

John G. Williams, Administrator de bonis non, of Francis Taylor, decd. vs. The United States. Appellant. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Blatchford.

Anthony F. Lubergier, Collector of Customs for the Port & Dis- trict of Chicago.		In Error to the Circuit Court of the United
147.	vs.	Pet. in Error. States for the
Edward Cahn, Charles Cahn, Joseph Cahn, Louis Wampold, and David Wallach		Northern Dis- trict of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Gray.

The United States		Appeal from the Circuit
1771.	vs.	Appellee. Court of the United States
The Trinidad Coal and Coking Company.		for the District of Colorado

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court, with directions to overrule the demurrer, and for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Harlan.

The United States
vs. Appellant.
The Missouri, Kansas & Texas Railway Co. et al.

On consideration of the motion to advance this cause It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the third Monday of January next.

per Mr. Chief Justice Fuller.

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John E. Alexandre et al Executors etc. et al
542 vs. Appellants
John Wachaw et al.

On consideration of the motion to remand this cause and the record thereon to the Circuit Court of the United States for the Southern District of New York, and of the argument of counsel thereupon had, as well in support of as against the same.

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Eugene W. Converse.
1288 Appellant.

On consideration of the motion to advance this cause,

It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday of December next after the causes heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Monday, November 17th 1856. Continued

Rich. Duncan
vs. Appellant
Wm. Call, Sheriff of
Bexar County, Texas.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be and the same is hereby postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Taney

W. S. Garnett Jnmor. and
A. C. Garnett
vs. In Error to the Circuit
Court of the United
States for the Western
District of Virginia.
The County of Patrick

57. Affirmed with Costs.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for want of jurisdiction

per Mr. Chief Justice Taney

Henry Kerr, Catherine L. Dewell, Executrix of Timothy Dewell dec'd, Oscar Stoffreiden et al. vs. The Steamship "Hawarden" William D. Wilkerson & Company Owners

60 Appellants.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal in and the same is hereby dismissed for want of jurisdiction.

per Mr. Chief Justice Fuller.

The Fitzgerald & Mallory Construction Company vs. John Fitzgerald

1141 Pff. in Error.

In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska.

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments have in the Courts of the State of Nebraska.

per Mr. Chief Justice Fuller.

Dick Duncan.

1174 vs. Appellant

P. P. Mc. Call, Sheriff, etc.

Jim Cooper & Ed. Pounds.

1339 vs. Pffs. in Error.

The State of Texas

H. B. Morrow, Trustee et al.

1224. vs. Appellants

The Cumberland Telephone

& Telegraph Company

The U. S. ex rel: A. A. Rapid.

1301 vs. Pffs. in Error.

William Windom Secretary

of the Treasury.

It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on the second Monday of December, next after case No. 1311

per Mr. Chief Justice Fuller.

1324 The Kansas City, St. Joseph & Council Bluffs Railroad Co. vs. The Chicago, St. Paul & Kansas City Railway Company. Appellant.

On motion of Wm. G. W. Woolworth, of counsel for the appellant, leave is hereby granted to file a petition for a restraining order herein, and thereupon Mr. B. W. Bunn, of counsel for the appellee, waived the issuance of a rule to show cause

1324 The Kansas City, St. Joseph & Council Bluffs Railroad Co vs. The Chicago, St. Paul & Kansas City Railway Company. Appellant.

The petition for a restraining order herein was argued by Mr. G. W. Woolworth in support of the same and Mr. B. W. Bunn in opposition thereto.

1419 The Pacific Express Co. vs. P. P. Pichard, Comptroller etc. Plff. in Error

Mr. G. W. Pickle of counsel, submitted to the consideration

D. Sutton, Surviving etc. et al.
1555 vs. Appellants.
G. G. Platt, President etc.
J. W. Allen, Comptroller etc.
1381 vs. Appellant
Pullmans Palace Car Co
J. W. Allen, Comptroller etc.
1382 vs. Appellant
Pullmans Palace Car Co

of the Court to allow to advance these cases.

The State of Virginia.
3. Original vs. Complainant.
The State of Tennessee.

On motion of Mr. R. A. Ayers of counsel for the complainant, leave is hereby granted to file a replication thereto.

The Pacific Express Co.
1558 vs. Appellant.
J. M. Seibert, State Auditor et al.

The motion for a supersedeas in this cause was argued by Mr. W. W. Morsman in support of the same.

78. D. D. Duffner et al vs. Peffs. in Error. E. A. Hordin Collector &c. The argument of this cause was commenced by Mr H. B. Brewan, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Parker and Mr. Assistant Attorney General Maury, of counsel for the defendant in error, and concluded by Mr. Brewan, for the plaintiffs in error.

79. The Union Stock Yards National Bank. vs. Appellant. A. J. Gillespie and Co. The argument of this cause was commenced by Mr. Edward C. Brown, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday November 18th, 1890

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer
John M. Wright, Esquire, Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Walter S. Logan it is ordered that Rudolph G. Rabe, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Carlisle it is ordered that Charles Warren, Esquire, of Upshur, State of New

was be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

81. John Johnson. vs. Plff. in Error Thomas L. Rist et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. W. Randolph, of counsel for the plaintiff in error, and Mr. S. W. Estes, of counsel for the defendants in error.

85. William H. Robertson, Collector of the Port of New York. vs. Plff. in Error. Louis Waddington, Abraham Louderon & August Waddington In Error to the Circuit Court of the United States for the Southern Dist of New York.

This cause having been called to the attention of the Court by Mr. Solicitor General Jeff. of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, on consideration of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be and

the same is hereby, dismissed with costs.

for the Chief Justice Dixon.

79. The Union Stock Yards National Bank. vs. A. J. Gillespie and Co. Appellant. The argument of this cause was continued by Mr. Edward C. Brown of counsel for the appellant, and Mr. L. H. Bisbee and Mr. John W. Burke, of counsel for the appellee, and concluded by Mr. Brown for the appellant.

80. The Montana Railway Co vs. Chas. S. Warren et al. Pff. in Error. The argument of this cause was commenced by Mr. John G. Dill for, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November 19th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

1194 Alfred B. Mullett vs. The United States. Appellant.

Mr. George F. Coutlett of counsel, suggested the death of Alfred B. Mullett, the appellant herein, and moved the Court to make E. Pearl Mullett, Administratrix of the said Alfred B. Mullett, the party appellant in this cause.

Whereupon it is now here ordered by the Court that the said E. Pearl Mullett, Administratrix

of Alfred B. Mullett, deceased, be, and she is hereby, made the party appellant in this cause

John Graham.		Mr. S. F. Burdett in
332	vs. Eff. in Error.	behalf of counsel,
George Weeks, Warden &c.		submitted to the
		consideration of

the Court a motion to advance this cause.

The New American Gas		Appeal from the Circuit
Company.		Court of the United
74	vs. Appellant.	States for the District
The Nicholson Gas Company.		of Rhode Island.

This cause having been called in its regular order, and a stipulation to dismiss this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller

The Montana Railway Co.		The argument of
80	vs. Eff. in Error.	this cause was
Charles S. Warren et al.		continued by

Mr. John R. Dillon of counsel for the plaintiff in error, and Mr. J. S. Bundy of counsel for the defendants in error, and concluded by Mr. Dillon for the plaintiff in error.

Lewis E. Waterman
32. vs. Appellant.
James A. Mackenzie et al.

This cause was argued by Mr. Walter S. Logan, of counsel for the appellant. No counsel appeared for the appellee.

Edwin A. Merritt, Collector etc.
84. vs. Pff. in Error.
Donald Cameron et al.

The argument of this cause was commenced by Mr. Solicitor General Phillips, of counsel for the plaintiff in error

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Whereupon to adjournment the Court met to
day at the Capitol

Present

The Honorable Victorio W. Waite, Chief Justice
Stephen J. Field
Joseph P. Bradley
John M. Harlan Associate
Horace Gray Justices
Samuel Blatchford
Lucius Q. C. Lamar
David J. Brewer.
John W. Wright, Esquire, Attorney
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this
behalf by Mr. Alexander Porter Morse it is order
ed that Robert O. Babbitt, Esquire, of Jersey City
State of New Jersey, be admitted to practice as
an attorney and counsellor of this Court and
he was sworn accordingly

On motion first made to the Court in this
behalf by Mr. Assistant Attorney General Johnson

It is ordered that Miles B. Lyon Esquire, of Dubuque, State of Iowa be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Edwin T. Merrill, Collector etc
84 vs. Pff. in Error.
Donald Cameron et al.

The argument of this cause was continued by Mr. Solicitor General Dafl. of counsel for the plaintiff in error. and Mr. Stephen V. Clarke, of counsel for the defendants in error, and concluded by Mr. Solicitor General. Dafl. for the plaintiff in error.

W. A. Robertson, Collector etc.
86 vs. Pff. in Error.
Oswald Oelschlaeger.

&

Oswald Oelschlaeger.
255 vs. Pff. in Error
W. A. Robertson, Collector etc.

These cases were argued by Mr Edwin B. Smith of counsel for Oelschlaeger, and Mr. Assistant Attorney General Maury, of counsel for Robertson, Collector etc

The United States ex rel: R. Mason Lisle.
v. Pltff. in Error.
John R. Lynch, Fourth Auditor, et al.

This cause was argued by Mr R. Mason Lisle of counsel for the plaintiff in error, and Mr Assistant Attorney General Maury of counsel for the defendants in error

Clifton Holden.
v. Appellant.
The State of Minnesota.

The argument of this cause was commenced by Mr. Charles D. Mc Guire of counsel for the appellant,

Recess until 12 o'clock.

Court adjourned until to-morrow at twelve o'clock.

Monday, November 24th, 1890

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Clifton Holden. The argument of this
1237 vs. Appellant cause was continued
The State of Minnesota by Mr. Charles D. Wilson, of counsel for the appellant, and Mr H. W. Childs, of counsel for the appellee, and concluded by Mr. Wilson for the appellant.

Subuya Jugiro
1508 vs. Appellant.
Augustus A. Brush, Agt. etc.

This cause was argued by Mr. Roger M. Sherman of counsel for the appellant, and Mr. Charles G. Bates of counsel for the appellee.

The Central Pacific
Railroad Company.
764 vs. Appellant.
The United States

Appeal from the Court of Claims

This cause having been called to the attention of the Court by Mr. Joseph E. McDonald, of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The United States.
758. vs. Appellant.
The Central Pacific
Railroad Company.

The argument of this cause was commenced by Mr. Solicitor General Taft, of

counsel for the appellant, and continued by Mr. Joseph E. Mc. Donald, of counsel for the appellee, and Mr. Attorney General Miller, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 24th 1873.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Allen C. Chilcott, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Spooner it is ordered that Ep

Rankin, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this today by Mr. H. J. May, it is ordered that J. M. Dickinson, Esquire of Nashville, State of Tennessee be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. Duane E. Fox it is ordered that Warden C. Burch, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	Gustav Park and Arnold Park,		In Error to the Circuit Court of the
35		v.	United States for
	William H. Robertson, late Collector of the Port of New York.	Pepp. in Error.	the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford

The Fourth National Bank of the City of New York. Appellant.
vs.
The American Tube Company, Albert J. Grauffe, William H. Garner, Mary J. Grauffe, and William F. Bowen.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that

the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Hamline L. French. — Appeal from the Circuit
68. vs. Appellant. — Court of the United States
Oliver S. Carter Exrs. Wash and Milton A. St. John. — for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Henry Jones. — In Error to the Circuit Court
114 S. vs. Pff. in Error — of the United States for the
The United States — District of Maryland.

This cause came on to be heard on the trans-

cript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Gray.

1142 Edward Smith vs. The United States. Pff. in Error. In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Gray.

1144 George S. Key. vs. The United States. Pff. in Error. In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Gray.

George S. Wheeler.
65. vs. Pff. in Error.
Theodore D. Jackson, as Registrar of Arrears of the City of Brooklyn.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a mandate from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

William W. Mac. Farlane
vs. Pff. in Error.
Theodore G. Jackson as Registrar of Arrears of the City of Brooklyn.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a remittur from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

55

Morgan's Louisiana & Texas Railroad & Steamship Company
vs. Appellants
The Texas Central Railway Company, The Farmers Loan & Trust Company, Trustee, and The Metropolitan Trust Co of the City of New York, Trustee Ad.

Appeals from the Circuit Court of the United

37. The Texas Central Railway Company. vs. Morgan's Louisiana & Texas Railroad and Steamship Company, The Farmers Loan and Trust Co. Trustee & The Metropolitan Trust Co. Trustee — Appellant — State for the Northern District of Texas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, on appeal, and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller

1178. The United States vs. Clark Brewer et al. — Plaintiff.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the fourth Monday of January.

ued.

per Mr. Chief Justice Fuller.

A. Sherrow, Sheriff, et al.
1156 vs. Appellants
Thomas B. Platt, President of the
United States Express Company
J. W. Allen, Comptroller etc.
1381 vs. Appellant
Pullman's Palace Car Co
J. W. Allen, Comptroller etc
382 vs. Appellant.
Pullman's Palace Car Co.

On consideration of the motion to advance this cause

It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument before a full bench

per Mr. Chief Justice Fuller.

The Pacific Express Co.
449. vs. Pff. in Error.
P. P. Pickard Comptroller of
the State of Tennessee et al

It is ordered by the Court that the further consideration of the motion to advance this cause, be, and the same is hereby postponed until the filing of proof of service of notice of said motion,

per Mr. Chief Justice Fuller.

1292 John Graham. vs. Pff. in Error George Weeks, Warden &c. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted and the cause assigned for argument on the fourth Monday of January next after the cases heretofore assigned for that date.

per Mr. Chief Justice Fuller.

1324 The Kansas City, St. Joseph & Council Bluffs Railroad Co. vs. Appellant. The Chicago, St. Paul & Kansas City Railway Co. On consideration of the motion for a restraining order in this case, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same, is hereby, denied.

per Mr. Chief Justice Fuller.

1558 The Pacific Express Co. vs. Appellant Jno. Siebert, State Auditor et al. On consideration of the motion for a supersedeas

in this cause, to have the effect of reviving the injunction, and of the argument of counsel in support of same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Shibuya Jugoro
vs. Appellant.
Augustus V. Brush Agent &
Warden of Sing Sing Prison,
in the State of New York.

Appeal from the Circuit Court of the United States for the Southern District of New York.

No. 178.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Chief Justice Fuller.

Dennant, Walker & Co. a copartnership composed of John H. Dennant & Willis C. Walker

1562 vs. Appellants.

John P. Cox W. H. Mc. Donald, W. A. Jackson The Waco State Bank et al.

Mr. Walter B. Rowe, of counsel for the appellees, having filed in open Court the following certificate to wit:

"Circuit Court of the United States
For the Northern District of Texas.

I J. H. Parks, Clerk of the Circuit Court of the United States for the Northern District of Texas, do hereby certify that in a certain equity cause, pending in said Court, numbered 56 Equity, wherein Dennant, Walker and Co., a copartnership composed of John H. Dennant and Willis C. Walker, were complainants, and Jno. P. Cox, W. H. Mc. Donald, W. A. Jackson, The Waco State Bank — a corporation duly incorporated under the general laws of the State of Texas — Euclid W. Cox, J. M. Bevers, Jeff Davis, J. D. Ward, J. A. Anderson, J. W. Anderson, R. A. Hunkett and R. G. Musser, were defendants, a final decree was rendered by said Court on the 11th

day of April, A.D. 1890. in favor of the said defendants and against the said complainants, and that on the 25th day of April, 1890. said complainants prayed an appeal to the Supreme Court of the United States which was, on said last mentioned day, duly allowed.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Circuit Court at Waco, Texas, this 15th. day of November, 1890

J. H. Burks, Clerk

{Seal} By C. A. Richardson, Deputy."

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Northern District of Texas, be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

1088. The City of New Orleans et al vs. Peffs. in Error. The New Orleans Water Works Company et al. Mr. E. W. Provosor, of counsel for the plaintiffs in error submitted to the consideration of the Court a motion to advance this cause.

1317. P. Crowley, Chief of Police etc. vs. Appellant. Henry Christensen. On motion of Mr W. A. Mc. Kenney, in behalf of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

1563 The Kingston Coal Company. vs. Plff in Error Frederick Benham Myers and William Penn Myers. Mr William A. Mc. Kenney, of counsel for the defendants in error, having filed in open Court the following certificate, to wit:

Supreme Court of Pennsylvania.

Frederick Benham Myers and William Penn Myers, Peffs. vs. The Kingston Coal Company, Deft.

I Charles S. Greene, Clerk of the Supreme Court of Pennsylvania in and for the Eastern District, do hereby certify that in a certain cause pending in said Court wherein Frederick Eschman Ulyses and William Penn Ulyses were plaintiffs and the Kingston Coal Company was defendant a final judgment was rendered against said defendants and in favor of said plaintiffs, and that on the 15th day of August A.D. 1890. said defendant sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court at Philadelphia this 7th day of November A.D. 1890.

{Seal}

Chas. S. Greene,
Clerk

moved the Court to docket and dismiss this cause pursuant to the 7th rule; and it appearing to the Court that the plaintiff in error has failed to have the cause filed and docketed in conformity with the rules of this Court,

It is now here ordered and adjudged by this

Court that the writ of error in this cause to the Supreme Court of the State of Pennsylvania, be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Josephine P. Waldron. Plff. in Error. vs. Mary A. Waldron.

Mr. B. K. Aldrich, of counsel for the defendant in error, presented a certificate of the Clerk of the Circuit Court of the United States for the Northern District of Illinois and moved the Court to docket and dismiss this cause pursuant to the 9th rule, which was opposed by Mr. William O. Mc Kenney, in behalf of counsel for the plaintiff in error. Whereupon, It is ordered by the Court that the consideration of said motion be postponed for the present.

1258. The Texas & Pacific Railway Co. Plff. in Error. vs. Henry Horn.

The motion to dismiss in this cause was sub-

mitted to the consideration of the Court on the record and printed arguments by Mr. Laurus Robertson and Mr. C. O. Patterson, in support of the same. and Mr. John F. Dillon and Mr. W. J Pierce, in opposition thereto.

Thomas Sayles, George W. Worley et al. vs. Peffo. in Error. The United States.

In Error to the Circuit Court of the United States for the Eastern District of Michigan

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller.

758 The United States. vs. Appellant. The Central Pacific Railroad Co.

The argument of this cause was concluded by Mr. Attorney

General Miller, of counsel for the appellants.

87 The Steamship "Wacoochee" etc. vs. Appellant. Edward S. Wesley et al.

Edward S. Wesley et al. vs. Appellants. The Steamship "Wacoochee" etc.

88.

These cases were argued by Mr. William Byrne of counsel for the Steamship "Wacoochee" etc. and Mr. Wilkinson Wynderse, of counsel for Wesley et al.

90. The Central National Bank. vs. Pff. in Error. - The United States.

The argument of this cause was commenced by Mr. W. W. Quinn, of counsel for the pl'ntiff in error

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock

Tuesday, November. 25th 1879.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice
Stephen J. Field.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford Justices
Lucius Q. C. Lamar.
Noah H. Swayne.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Van Voorhis it is ordered that Horace G. Pierce, Esquire, of Rochester & Perry B. Cole, Esquire, of New York City, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert B. Dickson it is ordered

that Roderick Ross Esquire of Jamestown, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

820 The City of Grande vs Wilber F. Brader — In Error to the Circuit Court of the United States for the District of Nevada

The cause having been called to the attention of the Court by Mr. John W. Cary, in behalf of counsel for the plaintiff in error, and a motion to dismiss this cause having been heretofore filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

311 John Baldwin Collector &c. vs Artemus Partridge et al. — Pff. in Error — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Pff. of counsel

for the plaintiff in error, and Mr. Frank P. Prichard, of counsel for the defendants in error

90. The Central National Bank. vs. Peff, in Error. The United States.

The argument of this cause was continued by Mr. W. W. Dyer, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Parker, of counsel for the defendant in error and concluded by Mr. Trow Cummington Whitehead, of counsel for the plaintiff in error.

91. The Chicago, Milwaukee & St. Paul Railway Co. vs. Peff. in Error James Artery.

This cause was argued by Mr. John W. Cary of counsel for the plaintiff in error and Mr. Orlow E. Lyon of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November 26th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field.
Joseph P. Bradley
John M. Harlan Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. J. D. Wallis it is ordered that James P. Harrison, Esquire, of Danville, State of Virginia, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Taft it is or-

dered that John J. Knickerbocker Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Alfred E. Paulhod et al. vs. Aristides H. Jacob et al. Appellants. Appeal from the Circuit Court of the United States for the Southern District of New York.

173

It appearing to the Court that a stipulation to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Louis Adler et al. partners as The Cape Ann Oil Clothing Company. vs. Abner J. Power. Appellants. Appeal from the Circuit Court of the United States for the District of Maryland.

237

It appearing to the Court that a stipulation to dismiss this cause has been filed. Ord-

fore in pursuance of said Stipulation It is therefore Ordered, Adjudged and decreed by this Court that the appeal in and the cause is hereby dismissed.

per Mr. Chief Justice Fuller.

Arthur Gunther et al. vs. The Ottawa Cattle and Land Mass Company. — In Error to the Circuit Court of the United States for the Eastern District of Wisconsin

No 149

It appearing to the Court that a Stipulation to dismiss this cause has been filed, Therefore in pursuance of said Stipulation It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

Arthur O. Story and Eli Wilson vs. Joseph Simpson. — In Error to the Supreme Court of the State of Massachusetts.

No 144

It appearing to the Court that a Stipu-

ication to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller

The Minneapolis & St. Louis Railway Company. vs. Pefft. in Error. The State of Minnesota ex rel The City of Minneapolis.

In Error to the District Court of the Fourth Judicial District, Hennepin County, State of Minnesota.

547

It appearing to the Court that a stipulation to dismiss this cause has been filed, Therefore in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

R. P. Voight and Co. vs. Pffs. in Error. E. P. Wright.

This cause was submitted to the consideration of the Court on the

72

and a printed argument by Mr. James E. Heath of counsel for the plaintiffs in error. No printed argument was filed on behalf of the defendant in error.

John W. Bass Presiding Judge of Taylor County Court. vs. Pff. in Error. Harvey J. Cox

13. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Phil. B. Thompson Jr. of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

The County of Gout-du-Lac. vs. Pff. in Error. Sarah Way.

61. This cause was argued by Mr. Charles E. Shepard, of counsel for the plaintiff in error and Mr. W. C. Burch, of counsel for the defendant in error.

Sarah Way vs Pff. in Error. The County of Juneau

74. This cause was argued by Mr. W. C. Burch, of counsel for the plaintiff in

error, and submitted on a printed argument by Mr. S. B. Pinney, of counsel for the defendant in error.

Singleton M. Ashenfelter
75 vs. Appellant.
The Territory of New Mexico
ex rel: Edward C. Wade.

This cause was argued by Mr. C W. McClain, of counsel for the appellant.

Brooke Mackall.
97 vs Appellant,.
George W. Casilear et al.

The argument of this cause was commenced by Mr Samuel Shellabarger, of counsel for the appellant

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. O. H. Garland it is ordered that William W. Dudley, Esquire, of Richmond, State of Indiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Clopper it is ordered that George P. M. Curtis, Esquire, of Memphis, State

of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger it is ordered that Oliver Bond Snider, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. James L. High it is ordered that Albert J. Hopkins, Esquire, of Aurora, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

John Broom & E. A. Whitaker
v. Appellants
James C. Armstrong.

Appeal from the Supreme Court of the Territory of Utah.

40.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

John Dobson, and James Dobson trading as John & James Dobson,

v. Appellants.

James Lees, Joseph Lees & John Lees trading as James Lees & Sons.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

No. 145

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

1088. The City of New Orleans et al. vs. Pltffs. in Errr. The New Orleans Water Works Company et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

1258. The Texas and Pacific Railroad Co. vs. Plff. in Error. Henry Horn.

On consideration of the motion to dismiss this cause, and of the argument of counsel thereupon had, as well in support of as against the same,

It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

1388. The Aetna Life Insurance Company of Hartford, Conn. vs. Plff. in Error. Ada Ward (formerly Ada Davey).

Mr. John L. Lewis, of counsel for the defendant in error, moved the Court to advance this cause

which was opposed by Mr. William A. Maury on behalf of counsel for the plaintiff in error, Whereupon it is now here ordered by the Court that said motion be postponed until Monday next.

1539 Sylvester M. Rinehart vs. The American Loan & Trust Company et al. Appellant. The motion to advance this cause was submitted to the consideration of the Court by Mr. James L. Hughes, in support of the same, and Mr. R. G. Ingersoll and Mr. Barnes Brown in opposition thereto.

1540 Sylvester M. Rinehart. vs. George William Batton, Trustee, et al. Appellant. The motions to advance this cause and to dismiss the appeal as to certain appellees were submitted to the consideration of the Court by Mr. James L. Hughes, in support of the same, & Mr. R. G. Ingersoll and Mr. Barnes Brown, in opposition thereto.

David G. Ambler et al. This cause was
1383 vs. Pffs. in Error submitted to the
Isaac Eppinger. consideration of
the Court, pursu-
ant to the 32d. rule, on printed arguments by Mr. James Lowndes, of counsel for the plaintiffs in error, and Mr. H. Bisbee, of counsel for the defendant in error.

The Massachusetts Benefit The motion to
Association. dismiss in this
1380 vs. Pff. in Error. cause was sub
Sarah E. Miles. mitted to the
consideration
of the Court on printed arguments by Mr. Richard P. White, in support of the same, and Mr. W. Carroll Brewster, in opposition thereto.

Russell M. Brodley et al. The motions to
783 vs. Appellants. dismiss or af-
Darius Ford. firm in this
cause were sub
mitted to the consideration of the Court on printed arguments by Mr. N. C. Moore, in support of the same, and Mr. A. H. Swan and

Mr. B. H. Campbell in opposition thereto.

The Union Trust Company of New York.
1333 vs. Pff. in Error.
Jacob Burg et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. A. W. Houston and Mr. W. C. Oliver, in support of the same, and Mr. Wm. H. Bohlman, in opposition thereto.

The Houston, East and West Texas Railway Company.
1121 vs. Pff. in Error
Jacob Burg et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. A. W. Houston and Mr. W. C. Oliver in support of the same and Mr. James Parker in opposition thereto.

Edward O. Egan
117 vs. Appellant.
James D. Mosby.

This cause was submitted to the consideration of the Court

pursuant to a stipulation of counsel, on the record and printed arguments by Mr. J. L Rawlins, of counsel for the appellant, and Mr. S. A. Merritt, of counsel for the appellee.

William A. Cooke &c. vs. The Hebe Co. et al. Appellant

1014 Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

Brooke Wackall. vs. George W. Casilear et al. Appellant.

77. On motion of Mr. Samuel Shellabarger, of counsel for appellant, leave is hereby granted him to file a supplemental brief in this cause.

Brooke Wackall vs. George W. Casilear et al Appellant.

97. The argument of this cause was continued by Mr. Samuel Shellabarger, of counsel for appellant, and Mr. J. J. Darlington and Mr. S. S. Fowler, of counsel for the appellee, and concluded by Mr. Shellabar

ger for the appellant.

Robert Hamilton.
vs. Pff. in Error.
The Home Insurance
Company of New York.

The argument of this cause was commenced by Mr. Joseph Willey, of counsel for the plaintiff in error, and continued by Mr. Channing Richards, of counsel for the defendant in error and Mr. E. W. Fitzredge, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Melville W. Fuller Chief Justice

Joseph P. Bradley.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford Justices
Lucius Q. C. Lamar.
David J. Brewer.

John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in behalf by Mr. John T. Russell it is ordered that John William Hughes Esquire of San Diego, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1109

The People of the State of New York ex rel: Chas. C. Hall vs. Peff. in Erro. Edward Wemple, Comptroller etc.

In Error to the Supreme Court of the State of New York

It appearing to the Court that a stipulation to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller.

The Housatonic Railroad Company.		In Error to the Supreme Court of
108.	vs. Pff. in Error.	Errors of the State
Jacob Driscoll.		of Connecticut.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Robert Hamilton
78 vs. Pff. in Error.
The Home Insurance Company, of New York.

The argument of this cause was concluded by Mr. E. W. Kittredge, of counsel for the plaintiff in error.

Hoffman Lee & Company,
99 vs. Appellants
William J. Overby, Committee of James R. Millner, Lunatic, et al.

Mr. Frederick N. McKinney of counsel for the appellants suggested the death of James R. Millner, and moved the Court to make William J. Overby, Administrator of James R. Millner, deceased, and Emma N. Millner, R. Lee Millner, Eliza Millner, James Millner, Annie Millner, Willie Millner and John Millner heirs at law of James R. Millner, deceased, parties appellees herein. Whereupon, It is now here ordered by the Court that the said William J. Overby, Administrator of James R. Millner, deceased, and Emma N. Millner, R. Lee Millner, Eliza Millner, James Millner, Annie Millner, Willie Millner and John Millner, heirs at law of James R. Millner, deceased, be, and they are

hereby, made parties appellees in the cause.

99. Hoffman, Lee & Company. vs. William L. Overby, Admr. etc. et al. Appellants

The argument of this cause was commenced by Mr. James P. Harrison, of counsel for the appellants, continued by Mr. Frederick N. Mc Kenny, and Mr. Samuel G. Phillips of counsel for the appellees, and concluded by Mr. S. Gerschle Wallis, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, December 3d, 1890.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Joseph P. Bradley
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. John M. Bowers it is ordered that Nathan Gallup Pond, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that John P. Comfort, Esquire, of Harrisburg, State of Pennsylvania be admitted to practice

as an attorney and counsellor of this Court and he was sworn accordingly.

381 Alvin Keusler vs Plff in Error / Louis Colin. — In Error to the Circuit Court of the United States for the Western District of Missouri.

It appearing to the Court that a stipulation to dismiss this cause has been filed, Therefore, in pursuance of said Stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

111 George P. Packer vs Plff in Error / Jake Bird et al. — This cause was submitted to the consideration of the Court, pursuant to the 20th. rule on the record and printed arguments by Mr. W. B. Babcher of counsel for the plaintiff in error, & Mr E. H. Cox of counsel for the defendants in error.

The United States.		In Error to the Cir-
112	vs.	cuit Court of the
	Jeff. in Error.	United States for
Jared Briggs, William C.		the Northern Dis-
Hebbe, Thomas Hausbrow,		trict of California
Christopher Green, Barney		
Clark et al		

This cause having been called to the attention of the Court by Mr. Attorney General Miller, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

The Lawrence Manufacturing		The argument
Company.		of this cause
91	vs.	was commenced
	Appellant.	by Mr. J. H.
The Tennessee Manufacturing		Raymond of
Company.		counsel for the

appellant, continued by Mr. A. J. Hopkins and Mr. J. M. Dickinson, of counsel for the appellee

and concluded by Mr. T.W.B. Hornbower of counsel for the appellant.

The Lawrence Manufacturing Company.

102. vs. Appellant.

The Janesville Cotton Mills.

The argument of this cause was commenced by Mr. J. H. Raymond of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday. December. 4th. 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice

Stephen J. Field.

Joseph P. Bradley.

John M. Harlan. Associate

Horace Gray. Justices

Samuel Blatchford

Lucius Q. C. Lamar

David J. Brewer

John W. Wright. Esquire. Marshal

James H. McKenney. Clerk.

Proclamation being made the Court is opened.

Ex parte: In the matter of Wright Lancaster et al. Petitioners

Mr. Washington has submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus, which was opposed by Mr. Attorney General Miller. Whereupon the Court not being sufficiently advised of and concerning what order to render in the premises took time to consider

	The United States	Ordered by the Court
114	v. Appellant	that the cause be, and
	William M. Griffith.	the same is hereby, passed.

	The Lawrence Manufacturing	The argument
	Company.	of this cause
102	v. Appellant.	was continued
	The Jonesville Cotton Mills.	by Mr. S. C. Hoar

of counsel for the appellee, and concluded by Mr. W. G. Hornblower, of counsel for the appellant.

	G. H. Ayers et al.	This cause was ar-
1556	v. Piff. in Error.	gued by Mr. William
	O. S. Watson.	E. Earle, of counsel

for the plaintiffs in error, and Mr. W. Hallett Phillips of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, December 5th, 1890

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar
David J. Brewer
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Henry S. White, Esquire, of Red Bank, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Levi Woodbury it is ordered

that J. P. Tucker. Esquire. of Boston. State of Massachusetts. be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Wright & Lancaster Et al Petitioners. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller

The United States. Appellant. vs William W. Griffith. Mr. Assistant Attorney General Maury, of counsel for the appellant, submitted to the consideration of the Court, a motion to dismiss this cause

111.

The Bank of British North America Plff. in Error. vs William B. Cooper Jr. This cause was argued by Mr. J. P. Nash, of counsel for the plaintiff in error, & Mr. John W. Bowers, of counsel for the defendant in error.

103.

Friday December 5th 1873 Continued.

C Carter Williford et al		The argument of
105	v	this cause was
Wm Taylor Snyder, Trustee	Appellants	commenced by Mr.
		Lyde Stevens,

of counsel for the appellant

Proclamation duly made the Court is adjourned until Monday next at twelve o'clock

Monday, December 8th, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is ordered that Richard H Harrison, Esquire, of the State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W.E. Simonds it is ordered that

Lewis E. Hudson, Esquire, of Hartford, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that Albert J. Law, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Maurice Mc. Kay, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Patterson it is ordered that Benjamin W. Huston, Esquire of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of the Court and he was sworn accordingly.

A. S. Solomons. Appeal from the
64. vs. Appellant. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brewer.

The Montana Railway Company.
80. vs. Plff. in Error. In Error to the
Charles L. Warren, Wm. G. Forbis, Supreme Court
A. W. Howard, J. A. Evans, Wil- of the Territory
liam Woodward and Edward of Montana.
Hickey.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana and was argued by counsel. On consideration whereof, It is now here

ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Justice Brewer.

78 Clement A. Auffmordt, John L. Aspegren, William Aspegren, & Adolph William Von Kessler, vs. Edward L. Hedden, Collector of the Port of New York. Peffs. in Error. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Blatchford

The Steamship "Wacooche", her engines etc. The Ocean Steamship Company of Savannah, Claimant.

87. vs Appellant

Edward L. Wooley, Edward Burritt, Edward J. Varian, Executor of Nicholas Varian, deceased, Ellen P. Mudge, Charles B. Dyer et al.

And

Edward L. Wooley Edward Burritt, Edward J. Varian, Executor of Nicholas Varian, deceased, Ellen P. Mudge, Charles B. Dyer et al.

88. vs Appellants.

The Steamship "Wacooche" her engines, etc The Ocean Steamship Company of Savannah, Claimant.

Appeals from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Cir-

cuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter a decree for the libellants for the full amount of their damages, with interest from the date of the report of the Commissioner of the District Court, and for their costs in the District Court, and in the Circuit Court, and in this Court on both appeals

per Mr. Justice Blatchford.

C. R. Handley et al. vs. Sebastian Stulz et al. Appeals

516 Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

On consideration of the motion to dismiss herein, and the question of the jurisdiction of the Circuit Court to render certain parts of the relief granted by its decree herein, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied, and the jurisdiction of the Circuit Court sustained.

90. The Central National Bank. In Error to the Circuit
v. Pefft. in Error. Court of the United States
The United States. for the Southern District
of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Field.

1237. Clifton Holden. Appeal from the Circuit Court
v. Appellant. of the United States for the
The State of Minnesota. District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed

by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

The Grover & Baker Sewing Machine Company.
vs.
William P. Radcliffe.

72. Pff. in Error.

In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

John Johnson,
vs.
Thomas L. Rusk, L. Pff Rist, John H. Milburn, H. C. Warmuth & Edward L. Rusk, a minor, by his guardian Alice H. Rusk, & Frank I. Duncan & Jennie Duncan,

81 Pff. in Error.

In Error to the Supreme Court of the State of Penn

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the writ of error in this cause be, and the same is hereby dismissed for want of jurisdiction.

per Mr Chief Justice Fuller

The United States: ex rel.
R. Wason Lisle. In Error to
1196 vs. Pff. in Error the Supreme
John R. Lynch Fourth Auditor Court of the
& Benjamin F. Wilkinson, Second District of
Comptroller of the Treasury of the Columbia.
United States.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for want of jurisdiction.

The Union Trust Company of New York, Trustee,
333. vs. Plff. in Error.
Jacob Buiz et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm herein be postponed until the hearing of the cause on its merits

per Mr. Chief Justice Fuller.

The Houston, East & West Texas Railway Co.
1121 vs. Plff. in Error
Jacob Buiz et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm herein be postponed until the hearing of the cause on its merits

per Mr. Chief Justice Fuller

Sylvester H. Kneeland
1539 vs. Appellant.
The American Loan & Trust Co. et al.

and

Sylvester H. Kneeland.
1540 vs. Appellant
George William Ballou, Trustee et al.

On consideration of the motions to advance these causes, It is now here ordered by the

Court that said motion be and the same are hereby granted, and the cause assigned for argument on the fourth Monday of January next, after the cause heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The United States
vs. Appellant.
William M. Griffith.

114

The motion by appellant for leave to dismiss its appeal in this cause is accompanied by certain correspondence which is referred to as stating the grounds on which the motion is made. We cannot be called upon to examine into these papers for the purpose of arriving at a conclusion as to whether the dismissal is justifiable or not and must decline to permit them to be filed and to thereby leave it to be inferred hereafter that we may have acted upon them. Appellant undoubtedly has the right to dismiss its appeal with the leave of the Court, and may renew its motion to that effect unaccompanied by other matter and the order of dismissal will be entered.

per Mr. Chief Justice Fuller.

The United States
58 vs. Appellant.
The Central Pacific Rail-
road Company.

Ordered by the Court
that the record in
this cause be remand-
ed to the Court of
Claims and that
said Court be instructed to find and certify
to this Court as matters of fact in addition to
the facts found and certified in said record
the specific items of expenditure for "new con-
struction and new equipment" referred to in
the present eighth finding, and that the re-
cord with said additional finding of fact
be returned to this Court as speedily as practi-
cable

per the Chief Justice Fuller.

The Chief Justice announced that the Court
would adjourn on Monday, December 22nd
until Monday, January 5th, 1891.

Morgan's Louisiana and Texas
Railroad & Steamship Co.
55 vs. Appellant.
The Texas Central Railway
Co. et al.

On motion
of Mr. J.
Hubley Ash-
ton, of coun-
sel, leave

59. The Texas Central Railway Co vs. Morgan's Louisiana and Texas Railroad & Steamship Co. et al Appellant.

is hereby granted the Clerk to issue the mandate in these cases.

1671. Mary E. Wood. vs. J. W. Beach. Plff. in Error

Mr. A. B. Browne, of counsel for the defendant in error, having filed in open Court the following certificate to wit:

"State of Kansas. } ss.
County of Shawnee }

I, B. J. Brown, Clerk of the Supreme Court of the State of Kansas, do hereby certify that upon the 1st day of April, 1890, the said Court decided the case of Mary E. Wood v. J. W. Beach, error from the District Court of Allen County, Kansas, and affirmed the judgment of said District Court: that said decision of the Supreme Court was a final judgment in favor of said J. W. Beach: that on the 22nd day of April 1890, a writ of error was allowed by said Court on motion of said Mary E. Wood, to take said cause to the Supreme Court of the United States

and appeal bond for said purpose approved on the 23rd. day of July, 1890.

In witness whereof, I have hereunto set my hand and official seal this 18th day of November, 1890.

C. G. Browne.

{Seal}. Clerk of the Supreme Court of the State of Kansas

moved the Court to docket and dismiss this cause pursuant to the 9th rule, and it appearing to the Court that the plaintiff in error has failed to have her cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Kansas, be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

L. U. Ard.
572 vs. Pff. in Error.
Alexander Brandon.

Mr. A. C. Browne, of counsel for the defendant in error, having filed an

open Court the following certificate:

"State of Kansas ss.
County of Shawnee.

I, C. J. Brown, Clerk of the Supreme Court of the State of Kansas do hereby certify that upon the 4th day of April, 1890 the said Court decided the case of A. T. Ard vs. Alex Brandon error from the District Court of Allen County, Kansas and affirmed the judgment of said District Court; that said decision of the Supreme Court was a final judgment in favor of said Alex Brandon: that on the 22nd day of April, 1890, a writ of error was allowed by said Court on motion of said A. T. Ard to take said cause to the Supreme Court of the United States and appeal bond for said purpose approved on the 27th day of May, 1890.

In witness whereof, I have hereunto set my hand and official seal this 18th day of November 1890.

C. J. Brown,
Clerk of the Supreme Court
of the State of Kansas."

Filed moved the Court to docket and dismiss this cause pursuant to the 9th rule. And it ap-

pearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause be, to the Supreme Court of the State of Kansas be and the same is hereby dismissed and dismissed with costs: and that this cause be and the same is hereby remanded to the said Supreme Court to be proceeded in according to law & justice.

per Mr. Chief Justice Fuller.

Henry B. Morrow, Trustee et al. vs. Appellants. The Cumberland Telephone and Telegraph Company.

224. On motion of Mr. Sutton Mc Millin, on behalf of counsel it is ordered

by the Court that this cause be and the same is hereby, re-assigned for argument before a full bench.

A.E. Horaug et al. vs. Plffs. in Error. J. H. Craig.

131. In Error to the Supreme Court of the State of Iowa.

This cause having been called to the attention of the Court by Mr. P. Henry Smythe, of counsel for the plaintiffs in error, and a stipulation to dismiss this cause having been filed, therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

132. Chris Born vs. Peff. in Error. William D. Thrasher et al — In Error to the Supreme Court of the State of Iowa

This cause having been called to the attention of the Court by Mr. P. Henry Smythe, of counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed to dismiss this cause, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The El Paso Water Co. vs. The City of El Paso. — The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Eagle Clark and Mr. Walter D. Dawdge, in support of the same, and Mr. W. C. Thompson and Mr. Maurice Mc. Krog, in opposition thereto.

388 The Aetna Life Insurance Company of Hartford, Conn. vs. Ada Ward (formerly Ada Davy). — The motion to advance this cause was submitted to the consideration of the Court by Mr. Joseph Lum, in support of the same, and Mr. G. G. Strong, in opposition thereto.

6 Orig. Ex parte: In the matter of The Pennsylvania Co. Petitioner.
7 Orig. Ex parte: In the matter of The Pennsylvania Co. Petitioner.

These cases were argued by Mr. Daniel Dewey Post of counsel for the petitioner, and Mr. Lewis E. Stanton, of counsel for the respondents.

R. Carter Wellford et ab. vs. William Barber Snyder Trustee. Appellants.

105. The argument of this cause was continued by Mr. Leigh Robinson, of counsel for the appellants, and Mr. William Lindsay White of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, December 9th, 1890

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Joseph P. Bradley,
John M. Harlan, Associate
Horace Gray, Justices.
Samuel Blatchford
Lucius Q. C. Lamar
David J. Brewer.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry M. Teller it is ordered that Saml E. Browne, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. H. Platt it is ordered that Thos

thy J. Dot. Esquire of New Haven, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. J. Whitehouse it is ordered that R. H. Rode Esquire of Pottsville State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

105. R. Carter Wellford et al. Appellants. vs. William Taylor Snyder, Trustee. The argument of this cause was continued by Mr. Henry Wise Garnett, of counsel for the appellee and concluded by Mr. Leigh Johnson, of counsel for the appellants.

106. James G. Joy et al. Purchasing Committee, &c. Appellants. vs. The City of St. Louis et al. The argument of this cause was commenced by Mr. Wells H. Blodgett, of coun-

ed for the Appellants, and continued by Mr. Wh
B. Orride of counsel for the Appellees

Proclamation being made the Court is adjourned
until To-morrow at twelve o'clock.

Wednesday, December 10th, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius Q. C. Lamar
David J. Brewer.
John M. Wright Esquire. Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Attorney General Miller it is ordered that Edwin H. Lainne Esquire of Los Angeles, State of California, and Williams P. Evans, Esquire of Topeka State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this be-

tray by Mr. John G. Miller it is ordered that
B. Rayner Esquire of New York City be admitted
to practice as an attorney and counsellor of this
Court and he was sworn accordingly.

On motion first made to the Court in due
tray by Mr. John H. Rogers it is ordered that Chas.
A. B. Warden, Esquire, of the United States of
America be admitted to practice as an attorney &
counsellor of this Court and he was sworn ac-
cordingly.

On motion first made to the Court in due
tray by the Solicitor General Esq it is ordered
that Charles P. Davis Esquire of Boston, State
of Massachusetts, be admitted to practice as an
attorney and counsellor of this Court and he was
sworn accordingly.

John Humphreys et al
Appellees etc. et al.
vs. Appellants.
Thomas Mc. Keesick Re-
ceiver etc.

Appeal from the
Circuit Court of
the United States
for the Southern Dis-
trict of Iowa

295

The cause having been called to the attention of the Court by Mr. Wells H. Blodgett, of counsel for the appellants and he having moved the Court to dismiss the cause. Therefore on the suggestion of said motion, It is now here ordered, adjudged and decreed by the Court that the appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

James E. Foy, et al. Purchasing Committee etc.
vs. Appellants.
The City of St. Louis et al.
106

The argument of the cause was continued by Mr. John C. Orrick, of counsel for the appellees and concluded by Mr. Wells H. Blodgett of counsel for the appellants.

David L. Hammond et al.
vs. Pffs. in Error
Walter S. Johnston, Receiver etc.
453

Mr. George P. Edmunds of counsel for the Plaintiffs in error, suggested the death of James L. D. Morrison, one of the plaintiffs in error and moved the Court to make Mrs. Julia A. A. L. Morrison, widow, and Mrs.

Mrs. Eliza Carr and Joseph C. Carr her husband Mrs. Adelede S. Kelly, and Albert D. Kelly her husband, and Virginia A. Morrison, heirs of said James L. D. Morrison, parties plaintiffs in error herein. Whereupon, It is now here ordered by the Court that the said Mrs. Julia A. A. S. Morrison, widow, and Mrs. Mary Eliza Carr and Joseph C. Carr her husband, Mrs. Adelede S. Kelly and Albert D. Kelly her husband, and Virginia A. Morrison heirs of James L. D. Morrison, deceased be, and they are hereby, made parties plaintiffs in error in this cause.

Abraham Lloyd
109 vs Pff in Error
John Mc Williams Collector
of Customs.

The argument of this cause was commenced by Mr. J. C. Bunder, of counsel for the plaintiff in error.

William E. Bassett
110. vs. Pff. in Error.
The United States.

This cause was argued by Mr. G. S. Richards, of counsel for the plaintiff in error and Mr. Attorney Gen-

eral Miller, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Thursday, December 11th, 1879.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray
Samuel Blatchford
Lucius Q. C. Lamar
David J. Brewer.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Dillon it is ordered that Nathan Frank, Esquire, of St. Louis, State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph McCammon, it is ordered

that Thomas W. Hutt, Esquire of Washington, Dist. District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Henry it is ordered that George B. Easton, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Carlisle it is ordered that Theodore L. Burnett, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Llewellyn Evans it is ordered that Harold Goodwin, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J.R. Reed it is ordered that James C. Black, Esquire of California, State of Iowa be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George G. Hoar it is ordered that J. Henry Taylor, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States
vs. Appellant. Appeal from the
758. The Central Pacific Court of Claims.
Railroad Company.

This cause having been called to the attention of the Court by Mr. J.K. Mc.Cammon, of counsel for the appellee, and he having presented a stipulation of counsel for the respective parties hereto agreeing that this appeal may be dismissed as to the sum of $80,090.81 for

services rendered the Government, and that this appeal stand in full force and effect as to the sum of $198,422.83 for alleged over assessment: Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that this appeal, so far as it relates to the said sum of $804,914.31 for services rendered the Government, be, and the same is hereby dismissed.

And it is further ordered that the appeal from said decree as to the sum of $198,422.83, on alleged over assessment, remain in full force and effect.

per Mr. Chief Justice Fuller.

The United States, Appellant. vs. William W. Griffith. Appeal from the Court of Claims. 1114.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Maury, of counsel for the appellant, and a motion to dismiss this cause having been filed,

Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is

hereby, dismissed.

per Mr. Chief Justice Fuller

David Preston et al. vs. Pffs. in Error. James B. Prather et al. — No. 116.

Mr. John P. Wilson of counsel, suggested the death of David Preston, one of the plaintiffs in error herein, and moved the Court to make Jane B. Preston and William A. Preston, Executors of said David Preston, parties plaintiffs in error. Whereupon, It is now here ordered by the Court that the said Jane B. Preston and William A. Preston, Executors of said Preston, deceased, be, and they are hereby, made parties plaintiffs in error in this cause.

Jane B. Preston & Wm A. Preston, Executors etc., et al. vs. Pffs. in Error. James B. Prather et al. — No. 115.

The argument of this cause was commenced by Mr. John P. Wilson, of counsel for the plaintiffs in error continued by Mr. H. V. Jackson of counsel for the defendants in error, and concluded by Mr. C. S. Greenup, of coun

set for the plaintiffs in error.

1311. E. E. Cook et al. vs. Pepps. in Error. The United States.

The argument of this cause was commenced by Mr. George R. Peck, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday December 12th 1873.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Stephen J. Field.

Joseph P. Bradley.

John Mc. Harlan. Associate

Horace Gray. Justices

Samuel Blatchford.

Lucius Q. C. Lamar

Nard J. Brewer.

John W. Wright, Esquire, Marshal.

James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. George R. Peck it is ordered that Edward O. Kenna, Esquire, of St. Louis State of Missouri, be admitted to practice as an attorney & counsellor of this Court and he was duly accordingly.

119. John O. Beardsley. vs. Paul G. Beardsley. Appellant.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland, Mr. H. J. May and Mr. J. M. Moore, of counsel for the appellant and Mr. Paul W. Jones of counsel for the appellee.

1311. C. E. Cook et al. vs. The United States. Plffs. in Error.

The argument of this cause was continued by Mr. George R. Peck of counsel for the plaintiffs in error and Mr. Solicitor General Hoyt and Mr. Assist. General Miller of counsel for the defendants in error, and concluded by Mr. John C. Black of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday December 10th 1849

Pursuant to adjournment the Court met
to-day at the Capitol.

Present

The Honorable Alberto G. Fuller Chief Justice
Stephen D. Powell
Joseph D. Murphy
John M. Norton, Associate
Peter Hay, Justices
Samuel Whitaker
Lucius H. Pickens
Peter J. Sharkey
John M. Speight, Esquire Marshal
James A. Lee Esquire Clerk

Proclamation being made the Court is opened

On motion it is ordered to the Court on the
motion of Wm. Burke J. Gardner it is ordered
that E. W. Atkinson, D. J. Evans & Henry M.
Russell Esquires of Pensacola, Wm. J. Bird
Virginia, be admitted to practice as attor-
neys and counsellors of this Court and they
were sworn accordingly.

	The Union Stock Yards National Bank.	
79	vs. Appellant.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.
	A. J. Gillespie Thomas E. Gillespie, Edwin J. Gillespie, copartners, doing business under the firm-name of A. J. Gillespie & Co.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that prevails from us the Courts of the State of Illinois

per Mr. Justice Brewer.

	The Russell Cummer Company & William O. Orcutt	
71	vs. Appellants.	Appeal from the Circuit Court of the United States for the District of Massachusetts
	Frank M. Stevens, Henry E. Cunningham & Samuel A. Caldwell	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar

The County of Fond du Lac. vs. Sarah Way — Pltff. in Error. — In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

61

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

	Sarah Way	In Error to the Circuit Court
91	vs. Pff. in Error	of the United States for the
	The County of Juneau	Western District of Wis-
		consin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradford.

	Robert Hamilton	In Error to the Circuit
98.	vs. Pff. in Error.	Court of the United
	The Home Insurance	States for the Southern
	Company of New York.	District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of

the said Circuit Court in this cause be, & the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict, and to take such further proceedings as may be consistent with the opinion of this Court

per Mr. Justice Gray.

985. The El Paso Water Co. vs. The City of El Paso. Appellant. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Waite.

1388. The Aetna Life Insurance Co. of Hartford Conn. vs. Ida Ward (formerly Ida Lewis) Appellee. On consideration of the motion to advance this cause It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for

gument on the first Monday of March next.

per Mr. Chief Justice Fuller.

Singleton W. Ashenfelter
vs.
The Territory of New Mexico,
ex rel: Edward C. Wade.

Appellant.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for oral argument before a full bench. It is further ordered that the Clerk notify the Attorney General of the United States that he may take part in said argument, if he finds it expedient so to do.

per Mr. Chief Justice Fuller.

75

Russell W. Bradley & Riley W. Livingston Owners of the Steam Barge "Burlington," etc.
vs.
Darius C. Ford.

Appellants.

Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

783.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and on motions to dismiss or affirm

which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Abraham Lloyd, Plff in Error
vs.
John Mc. Williams, Collector of Customs.

In Error to the Circuit Court of the United States for the District of New Zealand.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Zealands, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

[redacted]

The Attorney General addressed the Court as follows:

May it please the Court:

On the 13th day of October last, Samuel Freeman Miller, Senior Associate Justice of this Court died, at the age of seventy-four years.

At a meeting of the Bar of this Court, on the 6th instant, the following Resolutions touching his death were adopted.

Resolved, That the members of the Bar, practicing in the Supreme Court of the United States, are affected with profound sensibility at the loss suffered by the Court and by the profession of the law, and the community at large, which has fallen upon them in the sudden death of this eminent lawyer, jurist, and magistrate, when at the height and full exercise of his great powers in the service of the Nation, in the exalted place which he had so long occupied.

Resolved, That the length of years, falling not much short of a whole generation, which

the judicial service of Mr. Justice Miller has given to the administration of justice in the high functions, and the wide scope which belonged to the great tribunal in which he sat, and the period of his service concurring with the march of events, in the life of the Nation through the civil war, and the difficult task of the restoration of order and unity in the working of our Government, and the re-establishment of the calm and prevalent maintenance of law throughout the land, place him in the front rank, and in close association with the greatest judges that have shed lustre upon the Court in its historic fame and permanent benefits upon the welfare of the people.

Resolved, That the members of this Bar, besides fully sharing in the universal and grateful public estimate of the character and life of this great judge, and grief at his loss, may properly, from their close and constant observation of his personal traits and his relations with the Court and the Bar in the discharge of his daily duties, bear witness to his admirable conduct in these duties and

relations so just, so firm so amiable, to feel a personal sorrow at his death.

Resolved, That a copy of these Resolutions be presented by the President and Secretary of the meeting to the family of Mr. Justice Miller, with the sincere sympathy of the profession in their bereavement and that the Attorney General be requested to present to the Supreme Court in session the proceedings of this meeting

May it please the Court:

It was a wise saying of Solon, the Lawgiver, that no one ought to be called happy until after death, since storms and calamities in the evening may change the character of the brightest day. Tried by this supreme test, Samuel Freeman Miller was a happy man.

Born of pioneer stock amid humble surroundings, in the simple life of Kentucky during the second decade of this century, a life from which advancement could be had only along the rugged paths of frugality, integrity, and hard work he was fortunate in the time and place of his nativity.

It is not uncommon to refer to a successful man as having started without extra-

were help, as if this rendered the career more remarkable. Quite the reverse is true. To the unambitious youth, content upon the plane of comfortable mediocrity, wealth and influence may be desirable. But one who aspires to the lofty places of earth, to climb mountains, and from their summits take in wider landscapes, to be a leader among his fellows, must generally strive under the spur of necessity, along paths impassable to luxury.

In this, also, Mr. Miller's life was happy. Necessity compelled, and an indomitable resolution impelled him to make his own way.

Full of ambition, though having only slight educational advantages, he chose medicine as a profession, and practiced as a physician successfully in Kentucky for a number of years.

Associated from [illegible] with the surroundings, especially hating the contaminating touch of African slavery, he determined to seek a new life, changing at once his residence and his profession.

In 1862, President Lincoln found Mr

Miller in Iowa as a few years before the country had found Mr. Lincoln in Illinois, devoting his life to a somewhat secure and remunerative, though for the place and time, successful practice of the law.

And the finding of such a judge by the President was only less fortunate than the finding of such a President by the Country.

Indeed, Mr. Justice Miller rightly thought it one of the happiest incidents of his life, that he not only received his commission as Justice of this Court at the hands of Abraham Lincoln, but that he received with it his friendship and confidence. And well he might; for who does not feel a pride that he was ever a contemporary of that great and good man? And who does not ever with regret the severance of any tie connecting that illustrious life with his own.

While we may take by the hand those who have lived and worked by the side of Lincoln we come to be near him, and as by personal contact to take on something of the high inspiration and holy impulse of his character

Thus, that but a single strand more connects him with the personality of the Court! Our member only remains full of years and honors, discharging the high duties to which he was consecrated by the nearly and Practical.

"Servus in Curiam Vocatus"

Mr. Justice Miller was happy in his work and its results.

To be appointed to or seat in the great tribunal, was a signal mark of distinction: but to occupy that seat, in the estimation of the profession and the whole people for nearly thirty years, with the highest credit to himself, and the greatest usefulness to his country, was honor indeed.

When Justice Miller ascended this bench a political earthquake was shaking the foundations of government, obliterating old land-marks, and filling the accustomed channels of public law with hitherto unsuspected difficulties and dangers. To safely guide thro, the weakest and most sensitive branch of the Government, amid these shocks, and through all the troublous times that followed, so that, on the one hand, no just power of the gen

eral government should be lost, and on the other, no just right of a state or of a citizen should be sacrificed, was a task worthy of the best efforts of the greatest jurists, & worthily has the work been done.

It is no disparagement to others to say, that in this work, which will ever stand as a monument of honor to the Court, and a bulwark of security to free institutions Justice Miller was second to none.

The most striking feature of his mind was the logical faculty. Others, perhaps, had more culture, more legal learning; more had more legal wisdom. Intellectually, as morally, he was robust, rugged, simple and always honest. With him, logical conclusions were moral convictions; and to abide by them was an intellectual and moral necessity. Like Martin Luther at the Diet of Worms he could "do no otherwise".

Undiscriminating eulogy has said that Judge Miller was wont to sweep away the law in order that justice might prevail.

Such a statement would not have been accepted by him as praise. He loved

justice, but he knew, as all men fit for liberty know, that justice humanly speaking can have its perfect work only through the law: that obedience to law, by magistrate, as well as by the private citizen, is essential to justice, as it is a condition of liberty.

In his social and home life, too, our friend was happy. A vigorous, healthy, constitution, in a shapely body, a genial temperament, a great fondness for and an unfaltering trust in his friends, made the grasp of his hand always hearty, and his presence a delight in every social gathering.

His religious views were broad and very practical. The essence of his creed was "to do justice, to love mercy, and to walk humbly before God and man."

In the Odyssey, the much suffering Ulysses thus depicts the highest earth by this:

"There is no better, no more blessed state,
"Than when the wife and husband in accord,
"Order the household lovingly. Then those
"Repine who hate them, those who wish them well
"Rejoice, and they themselves the most of all

After a long life of such domestic felicity and of such public usefulness, loved by a multitude of friends, revered of all men, our friend, still unstained in duty, with length of days in his right hand and in his left hand riches and honor, awaited the call of the Master.

The call came, sudden, peremptory, but it found him ready.

I move that the resolutions of the Bar be spread upon the records of the Court.

The Chief Justice responded as follows:

The Court deeply sympathizes with the resolutions and the remarks of the Attorney General. The loss so universally felt in the death of Mr. Justice Miller comes home in an especial degree to his brethren, participants in his toils and sharers of his intimate friendship.

When he became a member of the Court its deliberations were presided over by Chief Justice Taney, and Catron and Nelson and Grier and Clifford were among his associates, together with the venerable Wayne, the last survivor of the Bench as constituted under John Marshall. Of the forty-five Associate Justices up to

the time of his death, only Catron equalled, and Washington, William Johnson, Story, Mc. Lean and Wayne exceeded, time in length of service. We need not say how cordially we reciprocate the wish that our colleague, his ancient comrade, may be spared to pass far beyond that limit, while we extend the aspiration to that other veteran who has sat in judgment with him for more than twenty years.

The trans-Mississippi country had just entered upon its course of unexampled development, when the sagacity of Mr. Lincoln gave to it, in this appointment, a judicial representative. Wisconsin was one of the States of the Circuit to which Mr. Justice Miller was first allotted, but was afterwards detached while Iowa, Kansas, Minnesota and Missouri remained with him from the beginning to the end: Arkansas, Colorado and Nebraska being subsequently added: and there is no part of that vast and powerful region that is not full of his labors. He lived to see a population in his Circuit of three millions expand into ten (two of the States admitted to the Union years after the commencement of his ministra-

tracy, rising from the $3,000 of 1860 to the two hundred and sixty of 1870) while an equally marvellous increase in the products of the farm and of the mines, in commerce, in science, in invention and in wealth, corresponded with the progress of the great nation, of which he was a judicial officer.

He came here in the prime of life, in the full vigor of his faculties, and with a mind trained by the experience of active practice in two professions, nearly ten years in that of medicine and fifteen at the bar, a practice in either requiring for success, learning, knowledge of men and things, acuteness, and, above all, the habit of decision.

When he took his seat the country was in the throes of internecine conflict: when his eyes closed, it was upon a happy, prosperous and united people, living under the form of government framed by the fathers, the wisdom of whose plans the event had vindicated. Great problems crowded for solution: the suspension of the habeas corpus: the jurisdiction of military tribunals: the closing of the ports of the insurrectionary States: the legislation

to uphold the two main wires. Iron and gold, by which war waves in all her campaign: the restoration of the predominance of the civil over the military authority: the reconstruction measures: the amendments to the constitution, involving the consolidation of the Union with the preservation of the just and equal rights of the States: all these passed in various phases under the jurisdiction of the Court: and he dealt with them with the hand of a master.

While he took his full share in the consideration of every subject of judicial investigation, notably in reference to some as, for instance, those pertaining to the public lands, yet he chiefly distinguished himself in the treatment of grave constitutional questions, which brought into play the patience, the intuition, the deliberation, the foresight, the intellectual grasp and the breadth of view which characterize all who have deserved the name of Statesmen. And as with private controversies, so with those concerning the public and the government, he sought to go by the ancient ways and never to incur the curse denounced

or him who removeth the landmarks. His style was like his head massive but vigorous. The opinions from his first in the second Black's Reports to his last in the one hundred & thirty sixth United States, some seven hundred in number (including dissents) running through nearly volumes, were marked by strength of nature, keen sense of justice and undoubting firmness of conclusions.

He had that true legal instinct which qualified him to arrive at the very spirit of a cause and to apply settled principles to its proper disposition: while to courage was joined an integrity and simplicity that always commanded respect and generally carried conviction. Benignant in temperament, and with a heart full of sensibility, his intercourse with his fellows was so cordial and kindly as to endear him to all who came within the sphere of his influence

And the power of routine so benefited him, that through the long years of experience, which seem so true now he attained, as was remarked of Mansfield "that dignity of disposition which grows with the growth of an

illustrious reputation, and become a part of pledge to the public for security."

The classical allusion of the Attorney General might well receive a wider application, for, to the East, having seen and known much of men, of councils, and of governments, himself not least, but honored of them all," he bent to the oar, seeking to explore new lines of coast along the well-nigh illimitable ocean of the law.

His last years were suffused with the glow of the evening-time of a life spent in the achievement of worthy ends and expectations, and he has left a memory dear to his associates, precious to his country, and more enduring than the books in which his judgments are recorded.

The Court has stood for any moment as a mark of respect to the memory of the deceased, and a delegation from its number has attended the committal of his body to its congenial dust in the distant city from whence he came, among the people to whom he was so deeply attached, who with their fellow-countrymen had followed his career

with pride and affection, and by whom his final resting place will ever be held sacred.

The resolutions of the Bar and the remarks of the Attorney General will be entered upon the records, and it is ordered that the memorials of the bars of New York, St. Louis, of Portland, Oregon, and of the Eastern and Western Districts of Arkansas, be placed on file, together with such other commemorative tributes as may be hereafter received.

[redacted]

761 The United States vs. John Grimley. Appellant. On motion of Mr Solicitor General Dept, of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

1218. The United States Appt. vs The Dalles Military Road Co et al.

1219. " " " " " " The Oregon Central Military Road Co et al.

1248 " " " " " " "

The Willamette Valley &c vs Cascade Mountain Military Rd Co et al

1444 The United States, Appt. vs James K. Kelly

1446 The United States, Appt. vs. Daniel F. Cooper
1446 " " " " " " " W. C. Logan, Exec. &c.
1447 " " " " " " " " William Graub
1448 " " " " " " " " William Lloyd

Mr. Solicitor General Coxe, of counsel for the appellant, submitted to the consideration of the Court a motion to advance these cases.

1479 Henry B. Sire vs. Pegg. in Error. The Ellithorpe Air Brake Co. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. Samuel Ashton, in support of the same, and Mr. Chauncey Shaffer, Mr. Albert J. Sire and Mr. J. Hubley Ashton, in opposition thereto.

342 Hugh Baxter et al. vs. Pegg. in Error. David A. Gage et al. On motion of Mr. W. O. Maury, in behalf of counsel for the plaintiffs in error, It is ordered by the Court that the submission of the motions to dismiss or affirm in the

cause be postponed until Monday, January 5th, next.

George B. Cluett et al. vs. Horace B. Clapp et al
174 Appellants.

And

George B. Cluett et al. vs. John Mc. Neary et al.
175 Appellants.

On motion of Mr. R. D. Mussey, in behalf of counsel for appellants, It is ordered by the Court that these cases be passed subject to the provisions of section 9 of Rule 36

The Wheeling & Belmont Bridge Company. vs. The Wheeling Bridge Co.
1425 Pff. in Error

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. William P. Hubbard, in support of the same, and Mr. Daniel Lamb, Mr. O. J. Clarke, and Mr. Henry Mc. Russell, in opposition thereto.

Monday. December 10th. 1890. Continued.

The United States ex rel:
S. C. Boyleton.
1149 vs Plff. in Error.
James G. Blaine, Secretary
of State.

Mr. A. H. Garland
of counsel for the
plaintiff in error
submitted to the
consideration of
the Court a mo
tion to advance this cause

William Caldwell.
1541 vs. Plff. in Error.
The State of Texas.

Mr. R. H. Harrison
of counsel for the
defendant in error
submitted to the
consideration of the Court a motion to dismi
ss this cause.

William Caldwell.
1541 vs. Plff. in Error.
The State of Texas.

The motion to dis
miss in this cause
was submitted to
the consideration
of the Court on the record and printed ar
guments by Mr. J. S Hogg and Mr. R. H. Harri
son, in support of the same, and Mr. J. Ran
dolph Burnes, in opposition thereto.

Thomas A. Green
1099 vs. Pff. in Error.
Samuel E. Elbert et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and a printed argument by Mr. George A. King, in support of the same, with leave to Mr. T.A. Green, to file a printed argument in opposition thereto.

The Red River Cattle Co
1362 vs. Pff. in Error.
R.H. Hecathorn et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. Hallett Phillips, in support of the same, and Mr. Francis Robertson, in opposition thereto.

The Northwestern Fuel Co
1159 vs. Pff. in Error.
R.G. Brock et al.

On motion of Mr. Charles A. Clark, of counsel for the defendants in error, it is ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to the 32d. Rule.

Ex parte: In the matter of The Louisville Water Co. Petitioner.

The petition for a writ of error was argued by Mr. William Lindsay, in support of the same, and Mr. James P. Helm, in opposition thereto.

The St. Louis, Iron Mountain & Southern Railway Co.
vs. Pff. in Error.
The Commercial Union Insurance Co. et al.

169

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. John G. Dillon and Mr. Harry Stubbard, of counsel for the plaintiff in error, and Mr. U. M. Rose, and Mr. G. B. Rose & Mr. E. M. Kimball, of counsel for the defendants in error.

Newell D. Clark
vs. Pff. in Error.
James L. Bevier, Admr. &c.

116

The argument of this cause was commenced by Mr. C. Bruce Sumner, of counsel for the plaintiff in error and continued by Mr. Charles D. Clark, of counsel for the defendant in error

Tuesday, December 16th, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

John A. Buckstaff. In Error to the Circuit
235. vs. Writ of Error Court of the United States
Frank M. Mills. for the District of Nebraska.

It appearing to the Court that a stipulation to dismiss this cause has been filed. Therefore, in pursuance of said stipulation it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same

is hereby dismissed with costs

per Mr. Chief Justice Fuller.

Newell N. Clark.
116 vs. Plff. in Error.
James L. Bevier, Admr. &c.

The argument of this cause was continued by Mr. Charles I. Clark of counsel for the defendant in error, and concluded by Mr. P. Henry Smyth, of counsel for the plaintiff in error.

The Chicago, St. Louis & New Orleans Railroad Co.
118 vs. Plff. in Error.
The Pullman Southern Car Co.

The argument of this cause was commenced by Mr. Girard Gaillard of counsel for the plaintiff in error, continued by Mr. Geo. B. Eastis and Mr. Edgar H. Farrar, of counsel for the defendant in error, and concluded by Mr. Thomas J. Semmes, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'Clock

Wednesday, December 17th, 1890.

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this today by Mr. John G. Carlisle it is ordered that Harvey Myers, Esquire, of Covington, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. A. G. Riddle it is ordered that Saw-

uel E. Williamson, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this day by Mr. W. Hallett Phillips it is ordered that David P. Day, Esquire and Benjamin H. Williams, Esquire, of Buffalo, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The United States. vs. Appellant. Frederick O. Connor. 113

The argument of this cause was commenced by Mr. Assistant Attorney General Colton of counsel for the appellant. Whereupon it is ordered by the Court that this cause be passed for argument before a full bench.

Dick Duncan. vs. Appellant. P.P. McCall, Sheriff &c. 1174

The argument of this cause was commenced by Mr. P.J. McGinn of counsel for the ap

petition, continued by Mr. A. H. Harrison, of counsel for the appellee, and concluded by Mr. A. H. Garland, of counsel for the appellant.

1237 John Leper & Ed. Powell, Plffs in Error
v
The State of Texas

The argument of this cause was commenced by Mr. W. S. Pilppin, of counsel for the plaintiffs in error, and continued by Mr. A. H. Harrison of counsel for the defendant in error, and Mr. G. P. W. Turner, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o' clock.

Thursday, December 15th 1870

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Joseph P. Bradley
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar
David J. Brewer

John W. Wright, Esquire, Marshal
James A. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. E. Simonds it is ordered that Orsight C. Fairbanks, Esquire, of Litchfield in the State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. George G. Vest it is ordered that

L. C. Krauthoff, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Henry Devere et al.
60 vs. Appellants
The Steamship "Hawkeye" etc.

On motion of Mr. James Parker, of counsel for the appellants, leave is hereby granted the Clerk to issue the mandate in this cause.

Pleasant Township, Van Wert County, Ohio
1214 vs. Pff. in Error.
The Aetna Life Insurance Co.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. J. H. Doyle, Mr. S. H. Alexander for Mr. Isaiah Pillars, of counsel for the plaintiff in error and Mr. John C. Lee, of counsel for the defendant in error.

Jno Leeper &c Ed. Powell
1289. vs. Pff. in Error.
The State of Texas.

The argument of this cause was concluded by Mr

U. P. Mc. Turner, of counsel for the plaintiffs in error.

The United States ex rel: Amasa A. Redfield.		This cause was argued by Mr. Frank-
1301	vs. Pff. in Error.	lin H. Mackey, of
William Windom, Secre-		counsel for the plain-
tary of the Treasury.		tiff in error, and
		Mr. Assistant Attor-

ney General Maury, of counsel for the defendant in error

Ex parte: In the matter of		This cause was
Eugene M. Converse.		argued by Mr.
1283	Appellant.	John C. Patterson
		of counsel for

the appellant, and submitted on a printed argument by Mr. B. W. Huston, on behalf of the State of Michigan.

The Baltimore and Potomac		
Railroad Company.		
121	vs. Pff. in Error.	
The Fifth Baptist Church		The argument
of Washington, D. C.		of these cases

	The Baltimore and Potomac Railroad Company.	Was continued by Mr. Enoch Totten, of counsel for the plaintiff in error.
122	vs.	
	Pltf. in Error.	
	The Fifth Baptist Church of Washington, D.C.	

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Friday, December 19th. 1890.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Stephen J. Field
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. William G. Choate it is ordered that L. Laflin Kellogg, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. L. Worthington it is ordered that Hector M. Hutchings, Esquire, of New York City,

be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. E. Baldwin it is ordered that Malcolm H. Russell, Esquire, of New Haven, State of Connecticut be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Turpie it is ordered that William E. Uhl, Esquire, of Monticello, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Pacific Express Co. vs. James N. Mo. Powell — Pff. in Error. — This cause was submitted to the consideration of the Court, pursuant to the 42d rule on the record and printed arguments by Mr. P. A. Pillsbury, of counsel for the plaintiff in error, and Mr. William A.

1335

Mr. Kenney, of counsel for the defendant in error

121 The Baltimore & Potomac Railroad Company. vs. Peff, in Error. The Fifth Baptist Church of Washington D.C.

and

22. The Baltimore & Potomac Railroad Company. vs. Peff, in Error. The Fifth Baptist Church of Washington, D.C.

The argument of this cause was continued by Mr. Enoch Totten of counsel for the plaintiff in error and Mr. J. J. Darlington and Mr. W. [illegible] Morris, of counsel for the defendant in error,

and concluded by Mr. Totten, for the plaintiff in error

124 Alfred Marchand vs. Peff, in Error. Josephine Odele Lurandais.

This cause was argued by Mr. George A. King, and Mr. Charles W. Horner, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Edgar H. Farrar, Mr. Ernest B. Kruttschnitt & Mr. B. G. Jones of counsel for the defendant in error

Abner L. Merrill
55 vs. Pff. in Error.
The Town of Monticello

The argument of this cause was commenced by Mr. O. B. Harris, of counsel for the plaintiff in error.

The New York & New England Railroad Company.
1180 vs. Pff. in Error.
George W. Woodruff, Morgan G. Bulkley, William H. Hayward, William O. Seymour & Nathaniel Wheeler, Commissioners.

In Error to the Supreme Court of Errors of the State of Connecticut.

This cause having been called to the attention of the Court by Mr. S. B. Baldwin, of counsel for the plaintiff in error, and a Stipulation to dismiss this cause having been filed, Therefore, in pursuance of said Stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Justice Field.

The New York & New England Railroad Company
366 vs. Pltff in Error
George W. Wickstead, Virgil C. Barker, William H. Haywards, William C. Seymour & Williams Water Commissioners &c.

In Error to the Superior Court of Hartford County Connecticut.

This cause having been called to the attention of the Court by Mr. E. Baldwin, of counsel for the plaintiff in error, and a stipulation to dismiss the cause having been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, & the same is hereby, dismissed.

per Mr. Justice Brewer.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, December 22d, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
Joseph P. Bradley
John M. Harlan Associate
Horace Gray Justices
Samuel Blatchford
Lucius Q. C. Lamar
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Robert W. McBride, Esquire, of Elkhart, and Charles O. O. McClellan, Esquire of Aurora, State of Indiana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Faulkner it is ordered

that Thomas V. Healy, Esquire of Parkersburg State of West Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court on this behalf by Mr. Jos Barnard it is ordered that Charles B. Wood, Esquire of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. James Buchanan it is ordered that Henry Stockbridge, Junior, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Solicitor General Cox it is ordered that Thomas B. Bishop, Esquire of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Mitchell it is ordered that John H. Mitchell, Junior Esquire, of Tacoma, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is ordered that Claude W Bates, Esquire, of Fort Worth, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

110 William B. Bassett, Plff. in Error, vs. The United States. In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed: and

that this cause be, and the same is hereby remanded to the said Supreme Court with instructions to order a new trial.

per Mr. Justice Brewer.

(announced by Mr. Justice Blatchford)

The Bank of British North America. vs. William B. Cooper, Junior. In Error to the Circuit Court of the United States for the Southern District of New York.

103 Peff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum, that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Brewer.

(announced by Mr. Justice Blatchford)

(Mr. Justice Gray did not sit in this case and took no part in its decision).

The St. Paul Minneapolis & Manitoba Railway Company. vs. Rawson Phelps. Appeal from the Circuit Court of the United States for the District of Minnesota.

26

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformance with the opinion of this Court.

per Mr. Justice Lamar

Edwin A. Merrill Collector of the Port of New York	In Error to the Circuit Court of the United States for the Southern District of New York.
310 vs. Pff. in Error.	
Edward Lauraine & Edward B. Laurence.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and grant a new trial.

per Mr. Justice Lamar,

Dissenting: Mr. Justice Brewer.

John Cadwalader, Collector of Customs for the District of Philadelphia	In Error to the Circuit Court of the
311 vs. Pff. in Error.	United States for the
Artemus Partridge & Thomas C. Richardson trading as Partridge & Richardson	Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to set aside the verdict and grant a new trial.

per Mr. Justice Lamar.

The Chicago, Milwaukee & St. Paul Railway Company. Plff. in Error
vs.
James Arley

In Error to the Circuit Court of the United States for the Northern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is

Sundry, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to grant a new trial.

From the Justice Statement.

John W. Barr Clerking &c. &c. Error to the &c.
of the Warren County Court. and Court of the
73 vs. Appeal from Circuit United States for the
Harvey L. Page. District of Kentucky.

This cause came up to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed, with costs, as to so much of it as holds the answer of the defendant insufficient in regard to the appointment of a collector, and as sustains the demurrer to that part of the answer, and as sustains the motion for a peremptory writ of mandamus against the defendant in relation to the appointment of a collector.

and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to take such further proceedings as shall be in conformity with the opinion of this Court.

per Mr. Justice Blatchford.

R. Carter Wilford, B. Randolph Wilford & Armistead L. Wilford. vs. William Payne Snyder, Trustee. Appeal from the Supreme Court of the District of Columbia.

105.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

99. Robert G. Hoffman & Charles O'Donnell Lee trading as Hoffman, Lee & Company. vs. William L. Overby, Administrator of James R. Fullmer, deceased & John P. Fullmer, J. D. Blair, Administrator of Joseph D. Fullmer, deceased et al.

Appeal from the Circuit Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Harlan.

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William H. Robertson, Collector of the Port of New York.

vs

Oswald Oelschlager.

In Error to the Circuit Court of the United States for the Southern District of New York.

Oswald Oelschlaeger.

vs.

William H. Robertson, Collector of the Port of New York.

Def. in Error

355.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, on writ of error and cross-writ, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

The New York Belting and Packing Company.

vs

The New Jersey Car Spring and Rubber Company

Appellant.

Appeal from the Circuit Court of the United States for the Southern District of New York.

39

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer and take such further proceedings in accordance with the opinion of this Court as law and justice may require.

per Mr. Justice Bradley.

Ex parte: In the matter of The Pennsylvania Company. Original. — Petitioner } On petition for a writ of mandamus.

6.

On consideration of the petition for a writ of mandamus, the return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of the said petition as against the same,

It is now here ordered by the Court that

the said petition be, and the same is hereby, denied.

per Mr. Justice Bradley.

Ex parte: In the matter of The Pennsylvania Company. 7. Original. Petitioner } On petition for a writ of mandamus.

On consideration of the petition for a writ of mandamus, the return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of the said petition, as against the same,

It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Bradley.

David L. Ambler and James P. Valvaferro, doing business under the name and style of Ambler and Valvaferro. vs. Isaac Eppinger. 1383 } In Error to the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States, for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Florida.

per Mr. Justice Field.

Brooke Wackall. Appeal from the Supreme
77 vs. Appellant. Court of the District of
George W. Casilear et al. Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

1119. The Pacific Express Co. vs. Plff. in Error. C. P. Pickard, Comptroller of the State of Tennessee et al. On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument before a full bench.

per Mr. Chief Justice Fuller.

1149. The U. S. ex rel: S. B. Boyd vs. Plff. in Error. James G. Blaine, Secretary of State. On consideration of the motion to advance this cause It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1218 The United States Appt. vs. The Dallas Military Road Co. et al.

1219 " " " " " " " The Oregon Central Military Road Co. et al.

1248 " " " " " " "

The Willamette Valley & Cascade Mountain Wagon Road Co. et al

1444. The United States, Appt. vs. James K. Kelly.
1445. " " " " " " " Daniel J. Pooper.
1446. " " " " " " " W. C. Rogers, Admr. &c
1447. " " " " " " " William Grant.
1448. " " " " " " " William Floyd.

On consideration of the motion to advance these causes,

It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the causes assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1435. The United States, Appellant, vs Annie A. Cole.
1436 Annie A. Cole, Appellant, vs The United States.

A motion to advance these cases was submitted to the consideration of the Court by Mr. Attorney General Miller, in support of the same, and Mr. W. C. Morris, in opposition thereto.

The Inter-State Land Co. vs. The Warwell Land Grain Co. Appellant. 1267

Mr John B Henderson in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

John B. Ball & Robert B. Boulwell vs. The United States. Plff. in Error. 1361

On motion of Mr. Solicitor General Dept, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on the first Monday of March next after the cases heretofore assigned for that day.

David Magone, Collector etc. vs. Edward Luckemeyer et al And A. P. Leberger, Collector etc. vs. John U. Garwell and Co. Plff. in Error. 880 1141

Mr. Solicitor General Dept, of counsel for the plaintiffs in error, submitted to the consideration of the Court a

window to advance these cases.

Eliza L. Smith, Executrix &c. vs. Artemas Gale et al. — 530 — Appellant

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Park Davis and Mr. A. C. Safford, in support of the same, and Mr. Enoch Totten, in opposition thereto.

George H. Pope vs. Saml Pope et al — 327 — Appellant.

This cause was submitted to the consideration of the Court on the record and printed arguments, pursuant to the 20th. rule by Mr. J. C. Sutherland, of counsel for the appellant, and Mr. A. H. Baskin, of counsel for the appellee.

Abner L. Merrill vs. The Town of Wahkatio — 125 — Pff. in Error

The argument of this cause was continued by Mr. William E. Mc. G. concluded by Mr. David Turpie, of counsel for the defendant in error.

Proclamation being made the Court is adjourned.

Monday, January 5th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. ..... Associate
Samuel Blatchford. Justices.
Lucius Q. C. Lamar.
David J. Brewer
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Honorable Henry B. Brown appeared and produced the following Letters Patent and oath of Office, which were read in open Court, and ordered to be recorded upon the minutes, in the following words, viz:

Benjamin Harrison,
President of the United States of America.
To all who shall see these Presents Greeting:

Know ye, That reposing special trust & confidence in the Wisdom, Uprightness & Learning of Henry B. Brown of Michigan, I have nominated, and, by and with the advice and consent of the Senate do appoint him Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto him, the said Henry B. Brown, during his good behavior.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

(Seal)

Given under my hand at the City of Washington, the 29th day of December, in the year of our Lord one thousand eight hundred and ninety, and of the Independence of the United States of America, the

one hundred & fifty-ninth
Benj. Harrison

By the President:
W. H. H. Miller.
Attorney General.

I, Henry B. Brown, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic: that I will bear true faith and allegiance to the same: that I take this obligation freely, without any mental reservation or purpose of evasion: and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

Henry B. Brown.

Subscribed and sworn to
before me this 5th day of
January, A.D. 1891.
Melville W. Fuller.
Chief Justice of the United States.

I, Henry B. Brown do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and the

rule and that I will faithfully and impartially discharge and perform all the duties incumbent on me as an Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States: So help me God.

Henry B. Brown.

Subscribed and sworn to
before me this 5th day of
January A.D. 1891.

James H. McKenney.
Clerk, Supreme Court of the United States.

On motion first made to the Court in this behalf by Mr. Attorney General Miller, it is ordered that John Morris, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry W. Duffield it is ordered that Thomas Spencer Jerome William H. Wells and Walter S. Hawley, Esquires, of Detroit, State

of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George D. Hoar it is ordered that James D. Jackson, Esquire, of Gill River, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James K. Kelly it is ordered that E. E. L. Wood, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. H. McPherson it is ordered that Milton L. Baer, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be-

hair by Mr. Charles B. Whitaker it is ordered that Robert J. Haire, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. D. Sayre it is ordered that J. C. Gutmore and S. L. Slater, Esquires, of Austin, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. B. Lewis it is ordered that John Douglass Brown, Junior, of Philadelphia, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Darlington it is ordered that J. Athens Johnson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Goff it is ordered that C. O. Abbott, Esquire, of Tacoma, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Henry B. Sire
vs. Pff. in Error.
The Ellathorpe Air Brake Company.

In Error to the Circuit Court of the United States for the Southern District of New York

11479.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and damages at the rate of ten per cent. in addition to interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Blatchford

	The Baltimore & Potomac Railroad Company.	In Error to the Supreme Court
121.	vs.	of the District
	The Fifth Baptist Church of Washington, D.C.	of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

	The Baltimore and Potomac Railroad Company.	In Error to the Supreme Court
122.	vs.	of the District
	The Fifth Baptist Church of Washington, D.C.	of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now

were ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

G. H. Ayers and J. R. Hall		In Error to the Circuit Court
1356	vs. Pepp. in Error.	of the United States for the
A. E. Watson.		Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Bradley

James B. Preston and William L. Preston,		In Error to the Cir-
Executors of David Preston, deceased, Samu-		cuit Court of the
uel A. Kean and Elisha Gray.		United States for
115	vs. Piffs in Error.	the Northern Dis-
James B. Prather and Preston L. Robinson		trict of Illinois.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Field.

(Mr. Chief Justice Fuller did not sit in this case or take any part in its decision).

Eliza L. Smith, Executrix of Byron M. Smith, deceased.
vs. Appellant.
580 Artemas Hale et al.

On consideration of the motion to dismiss herein, and of the argument of counsel thereupon had, as well in support of, as against the same,

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

880. Daniel Wagoner, Collector &c. vs. Plff. in Error Edward Luckemeyer, et al.

1444. O. D. Luberger, Collector &c. vs. Plff. in Error John L. Darnell & Company.

1267. The Gulf States Land Co. vs. Appellant. The Maxwell Land Grant Co.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same are hereby, granted, and the cases assigned for argument, in the order above named, on the first Monday of March next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1435. The United States, Appellant, vs. Annie A. Cole.

1436. Annie A. Cole, Appellant, vs. The United States.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on the first Monday of April next.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of
The Louisville Water Company.
(Petitioner)
} On petition for a writ of error.

It is ordered by the Court that counsel be given until the third Monday of January, next, to file printed briefs upon the question of the existence of the contract, the impairment of which is claimed to justify the issuance of the writ applied for.

per Mr. Chief Justice Fuller.

The Pacific Express Company.
vs.
Jesse K. Mc. Dowell.
} In Error to the Circuit Court of the United States for the Eastern District of Texas.

1535.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby,

affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

1099. Thomas A. Green vs. Plff. in Error Samuel H. Elbert, William E. Beck, Joseph B. Helm, Merrick A. Rogers, Lucius P. Marsh and J. Jay Joslin. In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

1099. Thomas A. Green vs. Plff. in Error. Samuel H. Elbert et al. It is ordered by this Court that the brief filed by plaintiff

in error thereto, be, and the same is hereby, struck
en from the files of this Court

per Mr. Chief Justice Fuller

The Red River Cattle
Company.
1362 vs Plff. in Error
R. H. Hudnall & J. A. Reed
doing business under the
firm name & style of R. R. Gaste,
& Mary Jane Gaste, his wife;
and John W. Gilbert.

In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is hereby ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for want of jurisdiction.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of
Eugene W. Bowers
1283 Appellant.

Appeal from the Circuit Court of the United States

for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Fuller.

The United States. Mr. Attorney General
1564 vs. Appellant. Miller, of counsel for
The Des Moines Navigation the appellant, and
& Railway Co. et al. Mr. William G. Wilson, of counsel for
the appellees, submitted to the consideration of the Court a motion to advance this cause.

The United States This cause was sub-
1249 vs. Appellant. mitted to the consid-
Sally S. Page, Executrix &c. eration of the Court
pursuant to the
20th rule, on the record and printed argument

by Mr. Solicitor General Dept. of counsel for the appellant, and Mr. J. E. McDonald and Mr. John C. Day, of counsel for the appellee.

A. G. Seiberger Collector &c. vs. Bernard Zahn et al — Eff. in Error. — On motion of Mr Solicitor General Dept. leave is given by granted the Clerk to issue the mandate in this cause.

147.

W. A. Woodin vs. D. P. Chamberlain. — Appellant. — Mr. John Woods, of counsel for the appellee, having filed in open Court the following certificate, to wit;

1580

"Supreme Court of the Territory of Idaho.
I, Job. Hasbrouck, Clerk of the said Supreme Court, do hereby certify that in a certain cause, lately pending in said Court wherein W. A. Woodin was appellant and D. P. Chamberlain was respondent a final decree was rendered by said Supreme Court on the 10th day of February, A. D. 1890. in favor of said respondent and against said appellant, and that on the 17th day of February A. D. 1890. said appellant

prayed and was allowed an appeal to the Supreme Court of the United States.

In Testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court at Boise City, this 23d day of December, A.D. 1890.

{Seal}

Job. Hasbrouck,
Clerk."

moved the Court to docket and dismiss this cause, pursuant to the 9th rule: and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court.

It is now here ordered, adjudged and decreed by this Court that this appeal from the Supreme Court of the Territory of Idaho be, and the same is hereby, docketed and dismissed with costs: And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Idaho to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller

Clara Kauffman. The motions to dis-
360 vs. Eff. in Error miss or affirm in
James R. Wootters. this cause were sub-
mitted to the con-
sideration of the Court on the record and
printed arguments by Mr. O. H. Garland and
Mr. H. J. Way, in support of the same, and Mr
C. W. Ward, in opposition thereto.

The United States. On motion of Mr. Jeff.
114. vs. Appellant. Chandler, of counsel
William W. Griffith. for the appellee, leave
is hereby granted the
Clerk to issue the mandate in this cause.

The Pacific Express Co. Mr. W. W. Worsham,
1558. vs. Appellant. of counsel for the
James W. Seibert, State Au- appellant, submit-
ditor of Missouri, et al. ted to the consid-
eration of the Court
a motion to advance this cause.

Robert Turner et al. The motions to dis-
108. vs. Appellants. miss or affirm
Alfred A. Sawyer. in this cause were

submitted to the consideration of the Court on the record and printed arguments by Mr. Edward Lane, in support of the same, and Mr. L. C. Rockwell, in opposition thereto.

The Illinois Grand Trunk Railway Company. — Appellant. — Mr. William A. McKenny, in behalf of counsel for the appellee, suggested the death of Jeptha H. Wade, the appellee herein, and moved the Court to

251 to

Jeptha H. Wade.

And

The Illinois Grand Trunk Railway Company. — Appellant.

252 v.

Jeptha H. Wade.

make J. H. Wade Jr., Residuary Legatee and Devisee of the said Jeptha H. Wade, the party appellee in these cases. Whereupon, it is now here ordered by the Court that the said J. H. Wade, Jr. Residuary Legatee and Devisee of the said Jeptha H. Wade, deceased, be, and he is hereby, made the party appellee in these cases

Prentiss N. Cheney. In Error to the Circuit
740 vs. Pff. in Error. Court of the United States for
Thomas Hughes et al. the District of Nebraska.

This cause having been called to the attention of the Court by Mr. William A. McKenney, of counsel for the plaintiff in error and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Prentiss N. Cheney. Mr. William A. Mc-
741 vs. Pff. in Error Kenney, of counsel for
Thomas Hughes et al. the plaintiff in error
submitted to the con-

sideration of the Court a motion for leave to withdraw the transcript of the record from the files of Court

Alonzo J. Whiteman In Error to the Cir-
744 vs. Pff. in Error. cuit Court of the Un-
Linnie V. Atwater, formerly ited States for the Dis-
Linnie V. Clarke. trict of Minnesota.

This cause having been called to the attention of the Court by Mr. William A. McKenney, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Silas Dubbs. This cause was sub-
1450 vs. Pff. in Error. mitted to the consid-
R. E. Wilcox and R. B. eration of the Court,
Thompson, Executors &c. pursuant to the 20th
rule, on the record
and printed arguments by Mr. Henry Beard, of counsel for the plaintiff in error, and Mr. A. G. Britton and Mr. A. B. Browne, of counsel for the defendants in error.

Hugh Butler et al. The motions to dis-
1343 vs. Pff. in Error. miss or affirm in
David A. Gage et al. this cause were
submitted to the
consideration of the Court on the record and

printed arguments by Mr. L. B. Rockwell, in support of the same, and Mr. Hugh Butler in opposition thereto.

Benjamin Leger &c. The City of St. Louis.
109½ vs. Plffs. in Error.
Edward Ruiz.

Mr. Everett Bell, of counsel for the plaintiffs in error, suggested the death of Benjamin Leger, one of the plaintiffs in error herein, and moved the Court that the cause proceed in the name of The City of St. Louis, the surviving plaintiff in error. Whereupon, it is now here ordered by the Court that this cause proceed in the name of The City of St. Louis, the surviving plaintiff in error.

The City of St. Louis, survivor.
109½ vs. Plff. in Error.
Edward Ruiz.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Everett Bell, of counsel for the plaintiff in error &c. Mr. J. K. Edsall, of counsel for the defendant in error.

Sylvester Pennoyer et al. This cause was
1280 vs. Appellants submitted to the
R. P. Mc. Conaughy. consideration of
the Court, pursu-
ant to the 20th. rule, on the record and printed arguments by Mr. H. H. Northup and Mr. L. L. Mc. Arthur, of counsel for the appellants, and Mr. J. A. Dolph and Mr. B. B. Bellinger, of counsel for the appellee.

John A. Brimmer, Jr. This cause was
Sergeant etc. submitted to the
1154 vs. Plff. in Error & Appl. consideration
William Rebman. of the Court,
pursuant to the
20th. rule, on the record and printed arguments by Mr. R. Taylor Scott and Mr. R. H. Stuzbee, of counsel for the plaintiff in error and appellant, and Mr. W. J. Campbell, Mr. W. B. Gordy & Mr. J. H. Wheeler, of counsel for the defendant in error and appellee.

The United States In Error to the Circuit
129 vs. Plff. in Error. Court of the United
William Henry Cross. States for the Northern

District of California.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

Valcott H. Russell, Receiver etc. ..... Plff. in Error
vs.
Augustus C. Cook. .....

The argument of this cause was commenced by Mr. Valcott H. Russell of counsel for the plaintiff in error, continued by Mr. L. Laflin Kellogg and Mr. William C. Marsh, of counsel for the defendant in error, and concluded by Mr. S. B. Baldwin of counsel for the plaintiff in error.

127 The State of Missouri ex rel: John H. Carey. ..... Plff. in Error
vs.

This cause was submitted to the consideration of the

Court on the record and a printed argument by Mr. B. R. Vinyard and Mr. Alexander Porter Morse, of counsel for the plaintiff in error. No counsel appeared for the defendant in error

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Tuesday, January 6th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in behalf of Mr. Joseph E. McDonald it is ordered that Frank L. Wright, Esquire, of Washington, District of Columbia, and Silas H. Ward, Esquire, of Kentland, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The City of Superior
1342. vs. Plff. in Error
Lyman B. Copley et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. G. W. Pogue, of counsel for the plaintiff in error, and Mr Clinton Rowell, of counsel for the defendants in error.

The Union Pacific Railway Co.
1375. vs. Plff. in Error.
Mara L. Botsford

This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. John P. Dillon, of counsel for the plaintiff in error, and Mr. A. G. Harris, of counsel for the defendant in error.

The District Township of
Doon, Iowa.
1130. vs. Plff. in Error.
Byron Cummins.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. B. F. Kauffman, of counsel for the plaintiff in er-

nor, and Mr. J. H. Swan, of counsel for the defendant in error.

1108. Robert Turner et al. vs. Alfred A. K. Sawyer. Appellants. On motion of Mr. A. B. Browne, in behalf of counsel for the appellants, leave is hereby granted to file certain exhibits in connection with the motions to dismiss or affirm in this cause.

128. Charles E. Whitehead, Trustee, &c. vs. E. E. Shattuck et al. Appellants. This cause was argued by Mr. Charles E. Whitehead, of counsel for the appellant, and submitted on a printed argument by Mr. Charles A. Clark, of counsel for the appellees.

130. The Chicago Distilling Co vs. Remington Stone, Collector, &c. Plff. in Error. This cause was argued by Mr. Solicitor General Clay, of counsel for the defendant in error, and submitted on a printed argument by Mr. Joseph Kirkland and

Mr. G. B. Rawn, of counsel for the plaintiff in error.

Mollie M. Albright et al. vs. George Oyster et al. Appellants. 138. This cause was argued by Mr. James H. Anderson, of counsel for the appellants and submitted on a printed argument by Mr. O. P. Dyer, of counsel for the appellee.

Mollie M. Oyster et al. vs. George Oyster et al. Appellants. 134. This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. James H. Anderson, of counsel for the appellants, and Mr. O. P. Dyer, of counsel for the appellee.

Gerald Dogg vs. John G. Blair. Appellant. 135. This cause was argued by Mr. James Carr, of counsel for the appellant, and Mr. W. B. Learned, of counsel for the appellee.

136. Elen A. Wood et al vs. Nichols, Shepard and Co. — Bill cause coming on to be heard by Hon. A. Montgomery of counsel for the plaintiffs in error, and Hon. Wm. Wirt Bates of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Wednesday, January 7th. 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph E. McDonald it is ordered that Victor Smith, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Daniel W. Voorhees it is ordered that John Leland, Esquire, of Owensboro State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr George Sturgis Jr. it is ordered that J. Schoyer, Junior, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. G. Tracy it is ordered that William H. Nystrom Esquire of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

E. M. Raymond
1891 vs Sup. in Error
Lloyd V. Reed et al.

On motion of Mr. George Sturgis, Jr. leave is hereby granted him to withdraw his appearance as counsel for the plaintiff in error

in this cause.

Robert Schell et al. Executors &c. vs. Pltffs. in Error. Victor Fauché et al. 690

On motion of Mr. Frederick O. McKenney, of counsel for the defendants in error, It is ordered by the Court that this cause be, and the same is hereby, substituted for case No. 166 in the call of the docket, per stipulation of counsel.

The People of the State of New York ex rel: Edward Juman. vs. Pltff. in Error. Andrew Walsh, Police Justice. 1134

Mr. B. F. Thacy, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Frances A. Gibbons and James P. Gibbons. vs. Appellants. D. Brayton Bishop. 1584

Mr. A. G. Riddle, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"United States Circuit Court.

6th Circuit Northern District of Florida.

I, Philip Walter, Clerk of the Circuit Court of the United States for the Northern District of Florida, do hereby certify in a certain cause pending in said Court wherein B. Brigham Bishop, was complainant and Frances A. Gibbons and Jane D. Gibbons were defendants, a final decree was rendered by said Circuit Court on the 31st. day of March, 1890, in favor of said complainant and against said defendants, and on the 12th day of May, 1890, defendants prayed an appeal to the Supreme Court of the United States which was duly allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of said Circuit Court, at the City of Jacksonville, Fla. this 3d. day of Jany. A.D. 1891.

[Seal]

Philip Walter,
Clerk."

moved the Court to docket and dismiss this cause, pursuant to the 9th rule; and it appearing to the Court that the appellants have failed to have this cause filed and docketed in conformity with the rules of this Court, it

is now here ordered, adjudged and decreed by this Court, that the appeal from the Circuit Court of the United States for the Northern District of Florida, be and the same is hereby, dockited and dismissed with costs: and that the cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Fuller.

The Bank of British North America. ... to ... Pfff. in Error. ... William B. Cooper Jr.

103.

On motion of Mr. W. W. Mac. Farland, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

William B. Cutt. ... to ... Appellant. ... Guadalupe Thompson et al.

1282

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. E. P. Wells Mr. G. P. Mc Lean, Mr. C. O. Butler and Mr. C. A. Barrell, of counsel for the appellant, and Mr. Frank Springer,

of counsel for the appellee

The Central Trust Company of New York et al.
v. Appellants.
Sylvester H. Rinehard.

The cause was argued by Mr. W. W. Howe Clarke of counsel for the appellants, and Mr. Clarence Brown and Mr. Robert C. Sprague, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday, January 8th, 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on the behalf by Mr. R. B. Lines it is ordered that S. Davis Page, Esquire, of Philadelphia, and de Roy J. Wolfe, Esquire of Harrisburg, State of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. George A. King it is ordered that John J. Breuhott, Esquire, of Akron, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James H. Wandrille it is ordered that Samuel L. Glaspell, Esquire, of Jamestown, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

777. John Ducie et al. vs. Appellants Thomas Ford. This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. Walter H. Smith, of counsel for the appellants and Mr. W. G. Morris, of counsel for the appellees.

The Sioux City Steel Railway Company.
1227. vs Pff. in Error.
The City of Sioux City et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule, on the record and printed arguments by Mr. J. H. Swan, of counsel for the plaintiff in error, and Mr. A. B. Henderson, of counsel for the defendants in error.

The Chicago, Santa Fe & California Railroad Co.
1145. vs Pff. in Error.
John R. Price et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th. rule on the record and printed arguments by Mr. Norman Williams, of counsel for the plaintiff in error, and Mr. P. L. Crosscup, of counsel for the defendants in error.

J. C. Anderson, Admr. &c. et al.
198. vs Appellants
James L. Watt, Executor &c. et al.

This cause was argued by Mr. J. Shirley Anderson, of counsel for the appellants, and Mr. James

Counsel of counsel for the appellee.

U. S. Ex. Rel. et al.
1414 ... vs. ... Peffs. in Error.
Charles Wilson, Dis Collector, et al.

The argument of this cause was commenced by Mr. Joseph H. Choate, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned until To-morrow at Twelve o'clock.

Friday, January 9th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that David Shelby, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

bar by Mr. Burton the Motion it is ordered that Alonzo L. Wilderman, Esquire, of Belleville, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that Charles H. Hodges, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States.
vs. Appellant.
The Missouri, Kansas and Texas Railway Co. et al.

733

On motion of Mr. Solicitor General Daft, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the first Monday of March next after the cases heretofore assigned for that day

The Equitable Life Assurance Society of the United States. vs. Peff. in Error. Alice Leonora Clements and Henry L. Clements her husband.

Mr. L. C. Krauthoff of counsel for the defendants in error, suggested the death of Alice Leonora Clements, one of the defendants in error herein, and moved the Court to make Benjamin F. Pettus, Administrator of the said Alice Leonora Clements, a party defendant in error in this cause. Whereupon, It is now here ordered by the Court that the said Benjamin F. Pettus, Administrator of Alice Leonora Clements, deceased, be, and he is hereby, made a party defendant in error in this cause.

340

The United States Original Bill vs. Complainant. The State of Texas.

On motion of Mr. A. H. Garland, of counsel for the defendant, leave is hereby granted to file the answer of the defendant herein.

5

Wm. C. O'Bryan and Co. vs. Peffs. in Error. Seiter and Company.

On motion of Mr. A. H. Garland, in behalf of coun-

63

ed, leave is hereby granted the Clerk to issue the mandate in this cause.

528 C. P. Heath vs. Pefs. in Error W. D. Wallace. This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and printed arguments by Mr. A. D. Britton and Mr. A. B. Irvine, of counsel for the plaintiff in error, and Mr. J. K. Redington and Mr. W. J. Johnston, of counsel for the defendant in error.

574 Michael Gormley et al. vs. Pefs. in Error. James Byman et al. Executors etc. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Wolcott Culver, of counsel for the plaintiffs in error, and Mr. Charles E. Pope, Mr. Alexander McCoy and Mr. Charles B. McCoy, of counsel for the defendants in error.

Isabella Duncan,
1209 vs. Appellant.
The Umatilla Hospitals Company et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Victor Smith, of counsel for the appellant, and Mr. S. P. Wallis, of counsel for the appellees.

The United States.
1343 vs. Appellant.
James U. Green.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Solicitor General Taft, of counsel for the appellant, and Mr. John Paul Jones and Mr. L. B. Lines, of counsel for the appellee.

The County of Cook
1406 vs. Plff. in Error.
The Calumet and Chicago Canal & Dock Company.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. E. H. Wells, Mr. B. B. Wood and Mr. W. G. Ew-

ing, of counsel for the plaintiff in error, and Mr. P. W. Osborn and Mr. S. A. Lynde, of counsel for the defendant in error.

The Consolidated Roller Mill Co
1485 vs. Appellant
R. R. Walker.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. R. Mason, of counsel for the appellant, and Mr. R. H. Parkinson, of counsel for the appellee.

Robert P. Simmons et al.
1585 vs. Appellants.
Harry R. Taub.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. S. Davis Page, of counsel for the appellants, and Mr. John Douglass Brown, Jr. and Mr. LeRoy J. Wolfe, of counsel for the appellee.

W. W. Leil et al.
1444 vs Pffs. in Error.
Charles Pillsbury, Tax Collector et al.

The argument of this cause was continued by Mr. Joseph H. Choate, of counsel for the plaintiff in error, and concluded by Mr. Augustus H. Garland, of counsel for the defendants in error.

The City of St. Louis, survivor.
1096 vs. Pff. in Error.
Edward Ritz.

On motion of Mr. Alonzo L. Wilderman, leave is hereby granted him to file a printed brief on behalf of the defendant in error in this cause.

The United States.
113 vs. Appellant.
Frederick D. Connor.

This cause was argued by Mr. Assistant Attorney General Cotton, of counsel for the appellant, and Mr. George A. King, of counsel for the appellee.

139 James W. Coburn et al. Appts v. The Grand Valley Land & Canal Co.
140 " " " " " " " " " " " " " " "
141 " " " " " " " " " " " " " " "
142 " " " " " " " " " " " " " " "

These cases were argued by Mr. L. P. Krauthoff, of counsel for the appellants, and submitted on a printed argument by Mr. Morgan A. Beach, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, January 12th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
Joseph P. Bradley,
John M. Harlan,
Horace Gray, Associate
Samuel Blatchford, Justices
Lucius L. C. Lamar,
David J. Brewer,
Henry B. Brown.

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk,

Proclamation being made the Court is opened.

On motion first made to the Court in this day by Mr. Charles E. Mitchell it is ordered that John C. Bartlett, Esquire, of New Britain, State of Connecticut, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

ment by Mr George G. Hoar it is ordered that John P. S. Gurchill, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States ex rel: Amasa A. Redfield vs. Plff. in Error. William Windom, Secretary of the Treasury.

In Error to the Supreme Court of the District of Columbia.

1301

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr Justice Lamar.

Prentice L. Cheney. vs. Plff. in Error. Thomas Hughes et al.

On consideration of the motion for leave to withdraw the trans-

741

cript of the record in this cause from the files of the Court. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The People of the State of New York ex rel: Edward Amen. vs. Andrew Walsh, Police Justice et al. Pff. in Error. 1104

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term.

per Mr. Chief Justice Fuller.

The United States. vs. The Des Moines Navigation & Railway Company et al. Appellant. 1564

On consideration of the motions to advance this cause, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cause assigned for argument on the second Monday of the next term. It is

the cause heretofore assigned for that day.

per Mr. Chief Justice Waite.

1538 The Pacific Express Co. vs. Appellant
James M. Seibert, State Auditor, et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cause heretofore assigned for that day.

per Mr. Chief Justice Waite.

1541 William Caldwell, Plff. in Errr. vs. The State of Texas. In Error to the Court of Appeals of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Texas and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error

in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Robert Schell, James W. Pellew, & Edward Schell, Executors of Augustus Schell deceased, late Collector of the Port of New York. vs. Peffo. in Error. No 5 Otho W. Pollock and William H. Westervelt

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr. Attorney General Miller of counsels for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Hiram Barney, Collector of the Port of New York.		In Error to the Circuit Court of the United States for the Southern District of New York.
186.	vs. Pff. in Error.	
Edward Mayer & Thomas P. Cummings.		

This cause having been called to the attention of the Court by Mr. Attorney General Miller of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Hiram Barney, Collector of the Port of New York.		In Error to the Circuit Court of the United States for the Southern District of New York.
1000.	vs. Pff. in Error.	
Benjamin Jones & Robert C. Melvain, surviving partners of Francis Jones & Sons.		

This cause having been called to the attention of the Court by Mr. Attorney General Miller,

of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Anthony F. Leiberger, Collector of Customs for the Port and District of Chicago. — In Error to the Circuit Court of the United States for the Northern District of Illinois

1442 — vs. — Peff. in Error.

John B. Crommes, and Michael Ulrich, copartners as Crommes and Ulrich.

This cause having been called to the attention of the Court by Mr. Attorney General Miller, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore in pursuance of said motion it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Anthony G. Seeberger, Collector of Customs for the Port and District of Chicago.		In Error to the Circuit Court of the United States for the Northern District of Illinois.
1175	vs. Plff. in Error.	
Harry B. Owsley & Heaton Owsley copartners, doing business under the firm-name and style of St. Nicholas Dog Company.		

This cause having been called to the attention of the Court by Mr. Attorney General Miller, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

1117. The United States, Appellant, vs. Henry O. Ewing
1164. " " " " " " " " Robert Barber.
1151. " " " " " " " " Samuel P. Powers.
1152. " " " " " " " " Edward J. McDermott.
1244. " " " " " " " " A. J. Van Duzee.

Mr. Solicitor General Taft, of counsel for the appellant, submitted to the consideration of the Court a motion to advance these cases.

The Schooner "W. P. Sayward," her tackle, apparel, furniture & cargo, Thomas Henry Cooper, owner and claimant.		Appeal from the District Court of the United States for the District of Alaska.
699	vs. Appellant.	
The United States.		

This cause having been called to the attention of the Court by Mr. Calderon Carlisle, and a motion by counsel for appellant, to dismiss this cause having been filed, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The Crosby Steam Gage and Valve Company.		Mr. Thomas William Carter, of counsel for the appellee submitted to the consideration of
1578.	vs. Appellant.	
The Consolidated Safety Valve Company.		

the Court a motion to advance this cause.

115. James B. Preston & William O. Preston, Executors, et al. vs. James B. Prather et al. Pffs. in Error. On motion of Mr. H. W. Jackson of counsel for the defendants in error,

Leave is hereby granted the Clerk to issue the mandate in this cause.

Ex parte: In the matter of Thomas Henry Cooper. Petitioner. And Ex parte: In the matter of Sir John Thompson, K.C.M.G. Mr. Joseph H. Beale of counsel for the petitioner submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition, and the accompanying suggestion. Whereupon, It is now here ordered by the Court that the Attorney General of the United States be given two weeks to make answer to said motion,

J. C. Stout.
1042 vs. Aff. in Error
John A. Wastin.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. John Hutchings, of counsel for the plaintiff in error, and Mr. F. A. Frank Jones, of counsel for the defendant in error.

Wilson Ames.
1104 vs. Aff. in Error.
Robert Weir et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. John G. Reid, of counsel for the plaintiff in error, and Mr. J. W. Edwall, of counsel for the defendants in error.

C. R. Handley et al.
1216 vs. Appellants.
Sebastian Stitz et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, by Mr. James L. Pitcher & Mr. Edward M. East, of counsel for the appellants and Mr. Watts Evans and Mr. James A. Wagaman, of counsel

for the appellee.

R. B. Reagan, U. S. Marshal. et al.
vs. Pffs. in Error.
W. B. Aiken et al.
468.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. John Paul Jones, of counsel for the plaintiffs in error, and Mr. J. L. Hogg, and Mr. B. D. Patterson, of counsel for the defendants in error.

Carl Hockmeyer, Testamentary Executor etc.
vs. Appellant.
Mrs. Mary E. Dobie, widow etc.
443.

This cause was argued by Mr. J. M. Rouse, of counsel for the appellee, and submitted on a printed argument by Mr. A. Goldthwaite, of counsel for the appellant.

William Cressey et al.
vs. Appellants.
Hermann Meyer et al.
1175

The argument of this cause was commenced by Mr. George A. King, of counsel for the appellants, continued by Mr. J. M. Rouse

of counsel for the appellee, and concluded by Mr. C. W. Horner, of counsel for the appellants.

Annie W. Upshur et al.
146 vs. Pffs. in Error.
Mary E. Briscoe, widow, et al.

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. Lindo H. Young, of counsel for the plaintiffs in error, and Mr. William O. Mary, of counsel for the defendants in error.

George N. Johnson.
147 vs. Appellant.
Daniel W. Powers et al.
Executors etc.

The argument of this cause was commenced by Mr. Augustus H. Garland, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice

Stephen J. Field.

Joseph P. Bradley.

John M. Harlan.

Horace Gray. Associate

Samuel Blatchford. Justices

Lucius Q.C. Lamar.

David J. Brewer.

Henry B. Brown.

John M. Wright, Esquire, Marshal.

James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr. William M. Evarts it is ordered that Seneca B. Payne Esquire of Auburn, John H. Camp, Esquire of Lyons, and Henry Clay Griffin, Esquire of Canandaigua State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Davis it is ordered that Fleming J. Lavender, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that George Whitfield Brown, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

17 Johann B. Hoff. vs. Appellant. Harrant and Company.

The death of Johann B. Hoff, the appellant herein, having been heretofore suggested, now, on motion of Mr. Enoch Totten, in behalf of counsel, It is ordered by the Court that Mary Eisner, Administrator of the said Johann B. Hoff, be, and he is hereby, made the party appellant in this cause.

George W. Johnson. vs. Daniel W. Powers et al. Executors etc. — The argument of this cause was continued by Mr. Augustus H. Garland, of counsel for the appellant, and Mr W. D. Poyntell, of counsel for the appellee and concluded by Mr. Garland for the appellant.

147

J. W. North. vs. Andrew Peters. — This cause was argued by Mr Enoch Totten of counsel for the appellant, by Mr John W. Taylor, of counsel for the appellee.

148.

The Troy Laundry Machinery Company. (Limited) vs. Alexander W. Dolph. — The argument of this cause was commenced by Mr. Bert Bower, of counsel for the plaintiff in error.

149.

On motion it is ordered that the Court do adjourn until to-morrow at twelve o'clock.

Wednesday, January 14th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Thomas B. French, Esquire, of Camden, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Fox it is ordered.

that Howard B. Hollister, Esquire, of Cincinnati, State of Ohio, and Frederick Potter, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter S. Hayes it is ordered that Nathaniel French, Esquire, of Davenport, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

79. The Union Stock Yards National Bank. vs. Appellant. A. J. Gillespie and Co.

On motion of Mr. J. M. Wilson, in behalf of counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in this cause.

149. The Troy Laundry Machinery Company (Limited). vs. Plff. in Error. Alexander M. Doyle.

The argument of this cause was continued by Mr. Zack Cowen, of coun

sel for the plaintiff in error, and Mr. A. P. Lloyd of counsel for the defendant in error, and concluded by Mr. Power, for the plaintiff in error.

Arthur Manchester. vs. Sff. in Error
1518. The Commonwealth of Massachusetts.

The argument of this cause was commenced by Mr. George A. King, of counsel for the plaintiff in error, and continued by Mr. A. P. Bliss, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, January 15th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray — Associate
Samuel Blatchford. — Justices
Lucius Q. C. Lamar
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Howard L. Osgood, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be

day by Mr. Richard Randolph Mc. Larkow, it is ordered that James A. Blanchard, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Muskatowa Northern Railway Company. vs. Albert V. Gude. — Mr. John C. Morgan, of counsel for Albert V. Gude, submitted to the consideration of the Court a motion to docket and dismiss this cause, or for such other relief in the premises as to the Court may seem fit.

283. Sallie Y. Henderson, Appellant, vs. The Central Passenger Railroad Company. — Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause having been called to the attention of the Court by Mr. Alexander Pope Humphrey, of counsel for the appellant, and a stipulation to dismiss this cause having been filed, Therefore, in pursuance of said stipulation, It is now here

ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Arthur Manchester
1518 vs. Eff. in Error.
The Commonwealth of
Massachusetts.

The argument of this cause was continued by Mr. H. C. Rice, of counsel for the defendant in error, and concluded by Mr. Joseph H. Choate, of counsel for the plaintiff in error.

The City of New Orleans.
1293 vs. Appellant.
Wm. Wallace Whitney, Admr. &c.
And
Wm. Wallace Whitney, Admr. &c.
1320 vs. Appellant.
The City of New Orleans.

The argument of these cases was commenced by Mr. Alfred Goldthwaite, of counsel for Whitney, Admr. and continued by Mr. G. B. Beckwith, of counsel for the City of New Orleans.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 16th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley,
John M. Harlan. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation having been made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. E. Mc. Donald it is ordered that Joseph H. Outhwaite, Esquire and Charles B. Burr, Esquire, of Columbus, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. R. Elliott it is ordered that James

J. Woodward, Paul H. Walker and W. H. Spring, Esquires, of Greensburg, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Lacy it is ordered that Joseph W. Blythe, Esquire, of Burlington, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Carlisle it is ordered that Orrin B. Hallam, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Mitchell it is ordered that J. A. Davenport, Esquire, of Erie, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was

sworn accordingly.

The United States		In Error to the Circuit Court
137.	vs.	Off. in Error	of the United States for the
Adam Badeau.		Southern District of New York.

This cause having been called for hearing in its regular order, and a motion by counsel for the plaintiff in error to dismiss the cause having been filed therein, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The City of New Orleans.		The argument of
293.	vs.	Appellants.	these cases was
Wm. Wallace Whitney, Admr. &c.		continued by Mr.
and		J. R. Beckwith, of
Wm. Wallace Whitney, Admr. &c.		counsel for the
320.	vs.	Appellants.	City of New Or-
The City of New Orleans.		leans, and con-
		cluded by Mr.

Alfred Goldthwaite of counsel for Whitney, Admr.

778. The United States
vs. Pff. in Error.
Joseph B. Kingsbury.

This cause was argued by the Asst. Att'y General Maury, of counsel for the appellant. No counsel appeared for the appellee.

1309. William H. Alexander.
vs. Pff. in Error.
The United States.

This cause was argued by Mr. Solicitor General Taft, of counsel for the defendant in error, and submitted on a printed argument by Mr. A. H. Garland and Mr. H. J. May, of counsel for the plaintiff in error.

1310. Bood Crumpton, alias
Bood Burris.
vs. Pff. in Error.
The United States.

This cause was argued by Mr. Solicitor General Taft, of counsel for the defendant in error, and submitted on a printed argument by Mr. A. H. Garland, of counsel for the plaintiff in error.

The Case Manufacturing Co. The argument of
130 vs. Pff. in Error. this cause was
Peter A. Seaman et al. commenced by
Mr. Charles E.
Burr, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned
until Monday next at twelve o'clock.

Monday, January 19th, 1874.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Stephen J. Field.

Joseph P. Bradley.

John M. Harlan.

Horace Gray. Associate

Samuel Blatchford. Justices

Lucius Q. C. Lamar.

David J. Brewer.

Henry B. Brown.

John M. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. S. Coppage it is ordered that Jason L. Bullock, Esquire, of Nashville State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in the

behalf by Mr L. Deane it is ordered that John C. Wanamaw Esquire, of Sterling, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph McManus it is ordered that W. G. Hulls Esquire, of Napa, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. H. Arnes it is ordered that Henry W. Warnaw, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

337 George H. Cope. Appellant. vs. Daniel Cope & Edwin H. Cope. Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to remand the cause to the District Court of the Third Judicial District for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Brown.

The Massachusetts Benefit Association.

1880. vs Pff. in Error.

Sarah E. White.

On consideration of the motion to dismiss herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be and the same is hereby denied.

per Mr. Justice Brown.

Pleasant Township, Van Wert County, Ohio.		In Error to the Circuit Court of the United States for the Northern District of Ohio.
124	vs	
The Aetna Life Insurance Company.	In Error.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer to the answer.

per Mr. Justice Brewer.

The United States,		Appeal from the Court of Claims.
115	vs	
Frederick A. Conner.	Appellant.	

This cause came on to be heard on the transcript of the record from the Court of Claims

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings to be had therein, in conformity with the opinion of this Court.

per Mr. Justice Brewer.

Edward O. Egan
'17 vs. Appellant.
James V. Clasbey.

Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

106

James D. Fay, Thomas H. Hubbard, Edgar D. Wells, & C. K. Ashley, as purchasing committee; The Central Trust Company of New York, and James Tierney, Trustees, and The Wabash, St. Louis & Pacific Railway Co. Appellants vs. The City of St. Louis & The St. Louis Kansas City & Colorado Railroad Company.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Strong

	Isabella Duncan		Appeal from the
203	vs.	Appellant	Circuit Court of
	The Manassa Mosphate		the United States
	Company, Walter S. Mc.		for the District
	Allen, Receiver.		of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

	John A. Brunner, Jun		Appeal from the
	ior, Sergeant of the City		Circuit Court of
	of Norfolk.		the United States
1154	vs.	Appellant	for the Eastern Dis-
	William Duncan,		trict of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District

of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

George D. Packer vs. Jake Bird & Frank Butler. In Error to the Supreme Court of the State of California.

111. Deft. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Robert Turner et al. vs. Alfred A. H. Sawyer. Appellants.

1108. On consideration of the motion to dismiss herein, and of the argument of counsel

thereupon heard, as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

1117. The United States Appellant, vs. Henry C. Ewing.
1151. " " " " " " " " Samuel P. Power
1152. " " " " " " " " Edward J. McDermott
1164. " " " " " " " " Robert Barber
1244. " " " " " " " " A. J. Van Duzee

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of March next, after the causes heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Crosby Steam Gage and Valve Company. Appellants
1578 vs.
The Consolidated Safety Valve Company.

On consideration of the motion to advance this cause, this cause, It is now here ordered by the Court

that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term after the causes heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Cincinnati Northern Railway Company vs. Albert V. Gude. It is ordered by the Court that the further consideration of the motion to docket and dismiss this cause be, and the same is hereby, postponed until notice is given to the railway company or its counsel.

per Mr. Chief Justice Fuller.

J. C. Stout. vs. Pltff. in Error John J. Watson. The grounds of the jurisdiction of the Circuit Court are not sufficiently disclosed by the record in this cause as it stands, and the consideration of the cause is therefore postponed for the present, in order that counsel may take such measures to supply the existing defects as they may be advised, and may be able to do.

Nicole Butler & Charles
W. Wright,
342. vs. Pltf. in Error.
David A. Gage & Nathan S. Hurd, Executors of William P. Lunn, deceased, and Lewis D. Rockwell

In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and on motion to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The United States.
249. vs. Appellant.
Sallie E. Page, Executrix of Frank A. Page, deceased.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and

was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims, with directions to dismiss the petition.

Mr. Chief Justice Fuller.

Order.

There having been an Associate Justice of this Court appointed since the commencement of this term:

It is ordered, That the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeably to the act of Congress in such cases made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Horace Gray, Associate Justice.
For the Second Circuit, Samuel Blatchford, Associate Justice.
For the Third Circuit, Joseph P. Bradley, Associate Justice.
For the Fourth Circuit, Melville W. Fuller, Chief Justice.
For the Fifth Circuit, Lucius Q. C. Lamar, Associate Justice.
For the Sixth Circuit, Henry B. Brown, Associate Justice.

For the Seventh Circuit, John M. Harlan, Associate Justice
For the Eighth Circuit, David J. Brewer, Associate Justice
For the Ninth Circuit, Stephen J. Field, Associate Justice

The United States
5. Orig. — vs. — Complainant.
The State of Texas.

On motion of Mr. Attorney General Miller, of counsel for the complainant, leave is hereby granted to amend the bill of complaint filed herein.

The United States.
164 vs. Pff. in Error.
The Boston and Albany
Railroad Company.

On motion of Mr. Solicitor General Taft, of counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, passed.

On petition for the writ of
The Navarro Mining Co. et al.
Petitioners.

Mr. C. S. Lowe, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus.

The New York Belting & Packing Company.
39. vs Appellant.
The New Jersey Car Spring and Rubber Company.

On motion of Mr. B. D. Lee, of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

Henry C. Lea
147 vs Pff. in Error.
The Ellwood Ice Crate Co.

Mr. Samuel Dickson, of counsel for the defendant in error, submitted to the consideration of the Court a motion for leave to the Clerk to issue the mandate in the cause which was opposed by Mr. J. Hubley Ashton, of counsel for the plaintiff in error. Whereupon, It is ordered by the Court that said motion be postponed for one week.

A. Porter Wayne et al.
106. vs Appellants
Wm Taylor Snyder Trustee.

On motion of Mr. Henry Wise Garnett of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

The City and County of San Francisco. vs. Appellants. Eugene de Roy et al.

(178)

This cause was submitted to the consideration of the Court, pursuant to the 22nd rule, by leave of the Court, on the record and printed arguments by Mr. George Flournoy, of counsel for the appellants, and Mr. E. S. Pillsbury and Mr. Gordon Blanding of counsel for the appellee.

The United States vs. Appellants. George Crunden.

(349)

Mr. George A. King, of counsel for the appellee, submitted to the consideration of the Court, a motion to advance this cause.

The United States vs. Appellants. P. W. Alexander et al.

(176)

Mr. George A. King, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

The Inland & Seaboard Coasting Co., et al. ... Mr. A. A. Brown, of
229. vs. Pffs. in Error. counsel for the
Francis A. Golson. defendant in error, suggested
the death of Francis A. Golson, the defendant in error herein and
moved the Court to make Thomas H. Golson, Administrator of the said Francis A. Golson the
party defendant in error in this cause. Whereupon, It is now here ordered by the Court
that the said Thomas H. Golson, Administrator of Francis A. Golson, deceased, be, and he
is hereby, made the party defendant in error in
this cause.

Erwin Davis ... Mr. Nathaniel Wilson,
1559. vs. Pff. in Error. of counsel for the de-
Algernon S. Patrick. fendant in error, submitted to the consideration of the Court a motion to advance this cause.

Edwin A. Merritt, Solicitor &c. On motion of
84 vs. Pffs. in Error. Mr. Solicitor
Donald Cameron et al. General Hoyt,
of counsel for

the plaintiff in error leave is hereby granted the Clerk to issue the mandate in this cause.

E. H. Ayers et ab.		On motion of Mr. W.
1356	vs. Pff. in Error	Hallen Phillips of coun
A. E. Watson.		sel for the defendant
		in error, leave is hereby

granted the Clerk to issue the mandate in this case.

James P. Laing et ab.		Appeal from the Circuit
156.	vs. Appellants	Court of the United
John Sterling & William		States for the Southern
Hoover.		District of Ohio.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, Thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Kansas City, Ft. Scott & Memphis Railroad Co.
vs. Pff. in Error
1361 L. S. Daughtry, Admr. &c. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Luke E. Wright & Mr. George Vault, in support of the same, and Mr. Wallace Pratt in opposition thereto.

Martha A. Miller.
1366 vs. Appellant.
Emma J. Clark et al. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. W. B. Stoddard, in support of the same, and Mr. L. E. Baldwin and Mr. J. M. Buckingham, in opposition thereto.

The Case Manufacturing Co.
150. vs. Pff. in Error
Peter H. Seaman et al. The argument of this cause was continued by Mr. Charles E. Burr, of counsel for the plaintiff in error, and Mr. Paul A. Gaither of counsel for the

defendants in error, and conducted by Mr. James S. Moorhead, of counsel for the plaintiff in error.

The Attorney General of the Commonwealth of Massachusetts

1126 vs. Appellant.

The Western Union Telegraph Company.

The Western Union Telegraph Company.

1127. vs. Appellant.

The Attorney General of the Commonwealth of Massachusetts

The Attorney General of the Commonwealth of Massachusetts

1128. vs. Appellant.

The Western Union Telegraph Company.

The Western Union Telegraph Company.

1129. vs. Appellant.

The Attorney General of the Commonwealth of Massachusetts

The Attorney General of the Commonwealth of Massachusetts

1130 vs. Appellant.

The Western Union Telegraph Company.

The Western Union Telegraph Company.

1131 vs. Appellant.

The Attorney General of the Commonwealth of Massachusetts.

The argument of these cases was commenced by Mr. Roger Sherman, of counsel for the

Western Union Telegraph Company, and continued by Mr H. C Bliss, of counsel for the Attorney General of the Commonwealth of Massachusetts.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

Tuesday, January 20th, 1891

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Joseph P. Bradley.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L.C. Lamar
David J. Brewer
Henry B. Brown
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John K. Ashell it is ordered that Levi Maish, Esquire, of York, and Philander B. Knox, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Attorney General of the Commonwealth of Massachusetts

1126 ..... vs. ..... Appellant.

The Western Union Telegraph Company.

The Western Union Telegraph Company.

1127. ..... vs. ..... Appellant

The Attorney General of the Commonwealth of Massachusetts

The Attorney General of the Commonwealth of Massachusetts

1128. ..... vs. ..... Appellant

The Western Union Telegraph Company.

The Western Union Telegraph Company.

1129. ..... vs. ..... Appellant.

The Attorney General of the Commonwealth of Massachusetts

The Attorney General of the Commonwealth of Massachusetts

1130 ..... vs. ..... Appellant

The Western Union Telegraph Company.

The Western Union Telegraph Company.

1131. ..... vs. ..... Appellant.

The Attorney General of the Commonwealth of Massachusetts.

The argument of these cases was continued by Mr. H. C. Bliss, of counsel for The Attorney General of the Commonwealth of Massachusetts, and concluded by Mr. Wager Swayne, of counsel for the Western Union Telegraph Company.

S. G. Bayne, J. W. Fuller and C. J. Mellen. vs. Plffs. in Error. O. B. Wiggins et ux, etc. 151.

Mr. W. D. Elliott, of counsel for the plaintiffs in error suggested the death of J. W. Fuller, one of the plaintiffs in error herein, and moved the Court to make Mary H. Fuller, Executrix of the said J. W. Fuller a party plaintiff in error. Whereupon it is now here ordered by the Court that the said Mary H. Fuller, Executrix of J. W. Fuller, deceased be, and she is hereby, made a party plaintiff in error in this cause.

S. G. Bayne et al. vs. Plffs. in Error. O. B. Wiggins et ux. etc. 151.

This cause was argued by Mr. W. D. Elliott, of counsel for the plaintiffs in error, and Mr. S. A. Davenport of counsel for the defendants in error.

William K. Wadsworth, Admr. etc. vs. Plff. in Error Theodore Adams 152.

The argument of this cause was commenced by Mr. A. H. Winter-

Mr. Few of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, January 21st, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

62. Robert B. Carsley. vs. Wabbett Davis and J. J. Power. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the trans-

cript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Martha M. Leak, Executrix etc. vs. Pff. in Error. In Error to the
163 Supreme Court
Maria Louisa Swindle and of the State of
her husband, C. C. Swindle. Texas.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, on pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

William R. Wadsworth, Admr. etc. vs. Pff. in Error. The argument
162 of this cause
Theodore Adams. was concluded

by Mr. A. H. Winterstein, of counsel for the defendant in error, and the cause was submitted on a printed argument by Mr. John D. Morgan, of counsel for the plaintiff in error

Ex parte: In the matter of The Penwabic Mining Co. et al. Petitioners.

The motion for leave to file a petition for a writ of mandamus herein was argued by Mr. C. K. Davis, in support of the same.

The Louisville, Evansville & St. Louis Railway Co. vs. Appellant. Wilford Wilson. 53.

This cause was argued by Mr. Alexander Pope Humphrey of counsel for the appellant, and Mr Wilford Wilson, of counsel for the appellee.

The Guaranty Trust & Safe Deposit Company. vs. Appellant. The Green Cove Springs and Melrose Railroad Co. et al. 55.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. Bisbee, of counsel for the appellant, and

Mr. J. C. Cooper, of counsel for the appellee

Joseph D. Williams. vs. The United States. — Appellant.

157.

The argument of this cause was commenced by Mr. J. M. Pettingew, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday January 22d 1891

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
Joseph P. Bradley.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar
David J. Brewer
Henry B. Brown
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas Dent it is ordered that George M. Eckels, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

motion by Mr. I. L. Gregory it is ordered that William Prescott, Esquire, of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. W. P. Goudy it is ordered that William Law Junior, Esquire, of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. Clinton McMillan it is ordered that James A. Park, Esquire, of Franklin State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of The Peoria Mining Co. et al. Petitioners. On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of

counsel in support of the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Abraham Buck et al. vs. Peffo. in Error. James A. Murray. In Error to the Supreme Court of the Territory of Montana.

87

The cause having been called to the attention of the Court by Mr. Wm. D. Edmunds, of counsel for the plaintiff in error, and he having moved the Court to dismiss the cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

William J. McDonald et al. vs. Peffo. in Error. James A. Murray. In Error to the Supreme Court of the Territory of Montana.

89

This cause having been called to the attention of the Court by Mr Geo. F. Edmunds of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Samuel Lewis et al. In Error to the Supreme
190. vs. Plffs. in Error Court of the Territory
James A. Murray. of Montana.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed with costs: and that this Cause be, and the same is hereby, remanded to the Supreme

Court of the State of Montana.
per Mr. Chief Justice Fuller.

Patrick Valeut et al. — In Error to the Supreme
91. vs. Peffo. in Error. — Court of the Territory
James A. Murray. — of Montana.

This cause having been called to the attention of the Court by Mr. Geo. G. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.
per Mr. Chief Justice Fuller

John P. Reiss et al. — In Error to the Supreme
192. vs. Peffo. in Error. — Court of the Territory
James A. Murray. — of Montana.

This cause having been called to the attention of the Court by Mr. Geo. G. Edmunds, of

counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Charles Richardson et al. In Error to the Supre-
195 vs. me Court of the Terri-
James A. Murray..... tory of Montana.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller

George W. Beal et al		In Error to the Supreme
194	to	Court of the Territory
James A. Murray.	Pffs. in Erro	of Montana.

This cause having been called to the attention of the Court by Mr. Geo. G. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller

Henry Jacobs et al.		In Error to the Supreme
195	vs.	Court of the Territory of
James A. Murray.	Pffs. in Erro.	Montana

This cause having been called to the attention of the Court by Mr. Geo. G. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now

here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Christian Hessler. In Error to the Supreme
176 vs. Pff. in Error Court of the Territory
James A. Murray. of Montana.

This cause having been called to the attention of the Court by Mr. Geo. G. Edmunds, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Simon Hausworth et al.		In Error to the Supreme
97.	vs.	Court of the Territory
James A. Murray.	Plffs. in Error.	of Montana.

This cause having been called to the attention of the Court by Mr. Geo. G. Edmunds of counsel for the plaintiffs in error and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Kunigunda Hausworth,		In Error to the Su-
Admx. etc. et al.		preme Court of
98.	vs.	the Territory of
James A. Murray.	Plffs. in Error.	Montana.

This cause having been called to the attention of the Court by Mr. Geo. G. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause,

Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

David H. Hale et al. vs. Pltffs. in Error. James A. Murray. } In Error to the Supreme Court of the Territory of Montana.

199

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

200 Patrick J. Hamilton et al vs. James A. Murray. — In Error to the Supreme Court of the Territory of Montana.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

201. Abraham Sands et al vs. James A. Murray. — In Error to the Supreme Court of the Territory of Montana.

This cause having been called to the attention of the Court by Mr. Geo F. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause Therefore, in pursuance of said motion, It

is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

202 James L. Hamilton. vs. Jeff. in Error. James A. Murray. In Error to the Supreme Court of the Territory of Montana.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Henry D. Hauser et al.		In Error to the Supre
208.	vs.	me Court of the Ter
James A. Murray.	Plffs. in Error.	ritory of Montana.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error, in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Mary Bernard.		In Error to the Supre
204	vs.	me Court of the Terri
James A. Murray.	Plff. in Error.	tory of Montana.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here

ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Moses Morris et al vs. James A. Murray. — In Error to the Supreme Court of the Territory of Montana.

205. Sffs. in Erro.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error, in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

206 Andrew J. Davis ... vs. ... Plff. in Error. James A. Murray. — In Error to the Supreme Court of the Territory of Montana.

This cause having been called to the attention of the Court by Mr. Geo. G. Edmunds, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Waite.

207 James L. Hamilton et al. ... vs. ... Plffs. in Error. James A. Murray. — In Error to the Supreme Court of the Territory of Montana.

This cause having been called to the attention of the Court by Mr. Geo. G. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered

and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

The First National Bank of Butte. Pff. in Err. vs. James A. Murray. Def. in Err. } In Error to the Supreme Court of the Territory of Montana.

208.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

David H. Cohen et al. In Error to the Supreme
209 vs. Pffs. in Error. Court of the Territory
James A. Murray. of Montana.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Nelson J. Hovenspeck et al. In Error to the Su-
210. vs. Pffs. in Error. preme Court of the
James A. Murray. Territory of Montana.

This cause having been called to the attention of the Court by Mr. George F. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is

now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

311. David H. Kellogger et al. vs. James A. Murray. In Error to the Supreme Court of the Territory of Montana.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

312. John M. Bowes. vs. Jeff. in Error. James A. Murray. — In Error to the Supreme Court of the Territory of Montana.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

313. Jeremiah Roach. vs. Jeff. in Error. James A. Murray. — In Error to the Supreme Court of the Territory of Montana.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here

ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Leopold G. Schmidt et al vs. Jas. A. Murray. — In Error to the Supreme Court of the Territory of Montana.

214 Plff. in Error.

This cause having been called to the attention of the Court by Mr. Geo. G. Edmunds, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

David H. Cohen vs. Jas. A. Murray. — In Error to the Supreme Court of the Territory of Montana.

215 Plff. in Erro.

This cause having been called to the attention of the Court by Mr. Geo. F. Edmunds of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

1558 The United States, Appellant. vs. The Central Pacific Railroad Company.

Mr. J. K. Mc. Cammon, of counsel for the appellee, submitted to the consideration of the Court a motion to vacate and set aside the order entered herein by this Court on the 14th day of December, 1891, dismissing the appeal in this cause as to the sum of $804,094.31.

1385 Robert L. Simmons et al. vs. Harry R. Saul. Appellants.

On motion of Mr. A. B. Lucas, in behalf of counsel for the

appellants, leave is hereby granted to file here-in printed copies of the record, briefs, and opin-ion of the Supreme Court of the State of Wis-consin, in the case of Weeks et al. vs. The Mil-waukee, Lake Shore and Western Railway Co., per stipulation of counsel.

Jesse Kepner, as Treasurer of Columbiana County, Ohio
to
Nathaniel J. Austin.
175. Appellant.

Mr. A. W. Baxter, of counsel for the appellant, sug-gested the death of Nathaniel J. Austin, the appellee in this cause, and moved the Court for an order, under the 15th. rule, to make the proper representatives parties. Where-upon, It is now here ordered by the Court that unless the proper representatives of the said Nath-aniel J. Austin, deceased, as aforesaid, shall vol-untarily become parties within the first ten days of the ensuing term of this Court, the appellant shall be entitled to open the record, and on hearing, have the decree reversed; if it be er-roneous: Provided, however, that a copy of this order shall be printed in some newspaper of general circulation within the State of Ohio, for

three successive weeks, at least sixty days before the beginning of the Term of the Supreme Court then next ensuing.

The Logan County National Bank.
170. vs. In Error.
R. P. Townsend.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. G. Browder, of counsel for the plaintiff in error, and Mr. John Feland of counsel for the defendant in error.

Joseph C. Williams.
157. vs. Appellant.
The United States.

The argument of this cause was continued by Mr. J. K. Redington of counsel for the appellant, and Mr. Assistant Attorney General Parker, of counsel for the appellee, and concluded by Mr. Redington, for the appellant

R. H. Brown et al.
158. vs. Appellants.
Charles W. Crandall.

The argument of this cause was commenced by Mr. D. W. Brown, of counsel for the appellants

Proclamation being made the Court is adjourned

Friday, January 23d, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this today by Mr. J. C. Spooner it is ordered that Robert M. La Follette, Esquire, of Madison, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this to-

tray by Mr. H. W. Teller it is ordered that David C. Beaman, Esquire, of Denver State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Gertrude H. Hardin
161 vs. Pff. in Error
Edward L. Godkin
Def

On motion of Mr. Thomas Nutt, of counsel for Hardin, it is ordered by the Court that these cases be heard together when No. 161 is reached in the call of the docket

Charles H. Mitchell
167 vs. Pff. in Error.
Jabez G. Swale et al.

R. H. Brown et al.
188 vs. Appellants.
Charles W. Grousdale et al.

The argument of this cause was continued by Mr. D. W. Brown, of counsel for the appellants, and Mr. D. M. Rodman, of counsel for the appellees, and concluded by Mr. Brown, of counsel for the appellants.

Bruno Beaupre et ab.
159. vs. Pffs. in Error.
Daniel R. Noyes et ab.

and

Bruno Beaupre et ab.
160. vs. Pffs. in Error.
Daniel R. Noyes et ab.

These cases were argued by Mr. O. K. Davis, of counsel for the defendants in error, and submitted on a printed argument by Mr. I. V. D. Heard, of counsel for the plaintiffs in error.

Gertrude H. Hardin
161. vs. Pff. in Error.
Conrad N. Jordan.

and

Charles H. Mitchell.
167. vs. Pff. in Error.
Jabez G. Smale et ab.

The argument of these cases was commenced by Mr. Thomas Dent, of counsel for the plaintiff in error in No. 161.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 26th. 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that W. P. Montague, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. J. W. Wilson it is ordered that Edwin D. Steele, Esquire, of High Point, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. Q. Phillips it is ordered that O. W. Griswold, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that George M. Pinney, Jr., Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The City of Superior.		In Error to the Circuit
1822	vs. Pff. in Error.	Court of the United
Lyman B. Ripley and		States for the District
Edward P. Brown.		of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Nebraska

per Mr. Justice Brown.

The United States. Appeal from the
778. vs. Appellant. Court of Claims.
Joseph G. Kingsley.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to set aside the judgment already rendered, and to enter a new judg-

ment in favor of the claimant for $8.10 for his transportation and subsistence.

per Mr. Justice Brown.

J. B. Reagan, U. S. Marshal for the Eastern District of Texas, et al. ..... In Error to the Circuit Court of the United States

468 vs. Petts. in Error. for the Eastern

W. B. Aiken, W. J. Mc. Donald and L. C. Stiles. District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

per Mr. Justice Brewer.

The Sioux City Street Railway Company,
1228. vs. Plff. in Error.
The City of Sioux City and The City Council of Sioux City.

In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

William Bent,
1282. vs. Appellant.
Guadalupe Thompson (formerly Guadalupe Bent), Charles Bent, Alberto Silas Bent, The Maxwell Land Grant Company, & The Vermejo Land Grant & Railway Company.

Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court

of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

The Consolidated Roller Mill Company. Appellant. vs. C. R. Walker. Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

1485

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

311 C. B. Cook, O. J. Cook, Cyrus Greene, J. B. Chamberlain, John Jackson & J. Lawrence vs. The United States. Jeffs. in Error

In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court, with directions to grant a new trial.

per Mr. Justice Harlan.

1456 The Chicago, Santa Fe & California Railroad Co vs. John R. Price, et al., for use of Jones, Durant & Bodkin. Jeffs. in Error.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Harlan.

708 The United States. vs. The Central Pacific Railroad Company. Appellant. On consideration of the motion to vacate and set aside the order entered herein by this Court on the 11th day of December, 1890 dismissing this appeal as to the sum of $804,094.81, It is now here ordered by the Court that said motion be, and the same is hereby granted per Mr. Justice Bradley.

708 The United States vs. The Central Pacific Railroad Company Appellant. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause as to the sum of $194,422.83 be, and the same is hereby reversed, and as to the sum of $804,094.31 be, and the same is hereby, affirmed: and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter judgment in conformity with the opinion of this Court.

per Mr. Justice Bradley.

Charles E. Whitehead Trustee of The Des Moines & Fort Dodge Railroad Company.

28. ... vs. ... Appellant.

E.B. Shattuck and Peter Jansen.

Appeal from the Circuit Court of the United States for the Northern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa and was argued by counsel. On consideration

whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Silas Dibbs. ..... In Error to the
450 ..... vs. ..... Supreme Court
C. E. Wilcut & A. B. Thompson, ... of the State of
Executors of the estate of Joseph ..... California.
Kiles, deceased.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Field.

The Chief Justice announced that the Court would adjourn on Monday, February 2d, until Monday, March 2d.

Amendments to the Rules.

It is ordered by the Court that subdivision 5, of Rule 8 of this Court be amended so as to read as follows:

5. All appeals, writs of error, and citations must be made returnable not exceeding thirty days from the day of signing the citation whether the return day fall in vacation or in term time, and be served before the return day.

It is ordered by the Court that subdivision 1 of Rule 9 of this Court be amended so as to read as follows:

1. It shall be the duty of the plaintiff in error or appellant to docket the case and file the record thereof with the Clerk of this Court by or before the return day, whether in vacation or term time. But for good cause shown, the justice or judge who signed the citation, or any justice of this Court, may enlarge the time, by or before its expiration. The order of enlargement to be filed with the clerk of this Court. If the plaintiff in error or appellant shall fail to comply with this rule, the defendant in error

or appellee may have the cause docketed and dismissed upon producing a certificate, whether in term time or vacation, from the Clerk of the Court wherein the judgment or decree was rendered, stating the case and certifying that such writ of error or appeal has been duly sued out or allowed. And in no case shall the plaintiff in error or appellant be entitled to docket the case and file the record after the same shall have been docketed and dismissed under this rule, unless by order of the Court.

It is ordered by the Court that subdivision 2, of Rule 9, of this Court be amended so as to read as follows:

2. But the defendant in error or appellee may, at his option, docket the case and file a copy of the record with the Clerk of this Court; and, if the case is docketed and a copy of the record filed with the Clerk of this Court by the plaintiff in error or appellant within the period of time above limited and prescribed by this rule, or by the defendant in error or appellee at any time thereafter the case shall stand for argument.

It is ordered by the Court that subdivision 4 of Rule 9, be amended so as to read as follows:

4. In all cases where the period of thirty days is mentioned in Rule 8, it shall be extended to sixty days in writs of errors and appeals from California, Oregon, Nevada, Washington, New Mexico, Utah, Arizona, Montana, Wyoming, North Dakota, South Dakota, Alaska and Idaho.

It is ordered by the Court that Rule 54 of the Rules of Practice of Admiralty be amended so as to read as follows:

54.

When any ship or vessel shall be libeled, or the owner of owners thereof shall be sued, for any embezzlement, loss or destruction by the masters, officers, mariners, passengers, or any other person or persons, of any property, goods or merchandise shipped or put on board of such ship or vessel, or for any loss, damage or injury by collision, or for any act, matter or thing, loss, damage or forfeiture, done, occasioned or occurred without the privity or knowledge of such owner or owners, and he or they shall desire to claim the benefit of limitation

of liability provided for in the third and fourth sections of the Act of March 3, 1851, entitled, "An act to limit the liability of ship owners and for other purposes," now embodied in Sections 4283 to 4285 of the Revised Statutes, the said owner or owners shall and may file a libel or petition in the proper District Court of the United States, as hereinafter specified, setting forth the facts and circumstances on which such limitation of liability is claimed, and praying proper relief in that behalf; and thereupon said Court, having caused due appraisement to be had of the amount or value of the interest of said owner or owners, respectively, in such ship or vessel, and her freight, for the voyage, shall make an order for the payment of the same into Court, or for the giving of a stipulation, with sureties, for payment thereof, into Court whenever the same shall be ordered; or, if the said owner or owners shall so elect, the said Court shall, without such appraisement, make an order for the transfer by him or them of his or their interest in such vessel and freight, to a trustee to be appointed by the Court under the fourth section of said act; and, upon compliance with such order, the said Court

shall issue a monition against all persons claiming damages for any such embezzlement, loss, destruction, damage or injury, citing them to appear before said Court and make due proof of their respective claims at or before a certain time to be named in said writ, not less than three months from the issuing of the same; and public notice of such monition shall be given as in other cases, and such further notice served through the post office or otherwise, as the Court in its discretion, may direct; and the said Court shall also on application of the said owner or owners make an order to restrain the further prosecution of all and any suit or suits against said owner or owners in respect of any such claim or claims.

It is further ordered that the present heading to this Rule be erased.

Ex parte: In the matter of the Dominion Wire Company, Petitioner } On petition for a writ of error.

On consideration of the petition for a writ of error herein, and of the argument of counsel

thereupon filed, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

The United States. On consideration of the
1344 vs. Appellant. motion to advance this
George Crandell. cause, It is now here or-
dered by the Court that
said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

The United States. On consideration of the
1476 vs. Appellant. motion to advance this
D. M. Alexander et al. cause, It is now here
ordered by the Court
that said motion be, and the same is hereby,
denied.

per Mr. Chief Justice Fuller.

Erwin Davis. On consideration of the
559 vs. Eff. in Error motion to advance this
Algernon S. Patrick. cause, It is now here
ordered by the Court

that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cause heretofore assigned for that day.

per Mr. Chief Justice Fuller.

James M. Coburn and William M. Ewing.	Appeal from the Circuit Court of the
189 vs. Appellants,	United States for
The Cedar Valley Land and Cattle Company (Limited)	the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

James M. Coburn and William M. Ewing. vs. The Cedar Valley Land and Cattle Company (Limited) and George Dixon Fisher. Appellants. Appeal from the Circuit Court of the United States for the Western District of Missouri.

140

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

James M. Coburn and William M. Ewing. vs. The Cedar Valley Land and Cattle Company (Limited). Appellants. Appeal from the Circuit Court of the United States for the Western District of Missouri.

141

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

James W. Coburn and William W. Ewing. Appeal from the Circuit Court of the
142. vs. Appellants United States for the
The Cedar Valley Land and Western District
Cattle Company (Limited). of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

552.	Wow Kew Hong,	Appellant	vs	The United States		
558.	Leong We,	"	"	"	"	"
602.	Lee Wing,	"	"	"	"	"
603.	Gun Sin Haw,	"	"	"	"	"
604.	Mar Hai Young,	"	"	"	"	"
605.	How Hai Quong,	"	"	"	"	"
606.	Quock Ah Ship,	"	"	"	"	"
607.	Leong Choy,	"	"	"	"	"
608.	Wong Dow Jo,	"	"	"	"	"
609.	How Yee Ling,	"	"	"	"	"
610.	Wong Ah Yuck,	"	"	"	"	"
611.	Day Kim Quig,	"	"	"	"	"
612.	Wock Lee,	"	"	"	"	"
613.	Gong Jong,	"	"	"	"	"
614.	Bing Chung,	"	"	"	"	"
615.	Wong Gun,	"	"	"	"	"
616.	Lim Quan Henry,	"	"	"	"	"
617.	Hong Gun,	"	"	"	"	"
618.	Dow Ugee,	"	"	"	"	"
632.	Hor Quong Pok,	"	"	"	"	"
633.	Pun Choy,	"	"	"	"	"
634.	Chan Bing Chan,	"	"	"	"	"
635	Lee Lick,	"	"	"	"	"
636.	Mar We Jung,	"	"	"	"	"
637.	Mar Lick Yen,	"	"	"	"	"

638. Quock Ding. Appellant vs The United States.
639. Dang Do. " " " " "
640. Lee Kwan. " " " " "
641. Lui Cheong. " " " " "
642 Lui Stok Quo " " " " "
650 Yee Quong Lui " " " " "
651 Yee Quong Yuey " " " " "
652. Wong Le Lip. " " " " "
653. Quong Kok Qiw. " " " " "
654. Wong Du Choy. " " " " "
655. Wong You Choy. " " " " "
656. Quo Lui Dar. " " " " "
657. Wong Lui Bong. " " " " "
658. Poon Quock Bee. " " " " "
659. Lee Lung Quey. " " " " "
660 Low Dew Yong. " " " " "
661. Low Lui Gok. " " " " "
662. Lem Dor Ang. " " " " "
663. Gee Kum Suo. " " " " "
664. Lee Ah Doo. " " " " "
665. Quong Dai Kwong. " " " " "
666. Mack Lew Heong. " " " " "
667. Quo Stong Suo. " " " " "
668. Quong Ping Wo. " " " " "
78. Low Ah Bong. " " " " "

679 Choy Yow Yee, Appellant vs. The United States.
680 Wo Duan Goon. " " " " "
681 Leong Kee. " " " " "
1413. Leong Kum Ping. " " " " "
1414. Wan Shing. " " " " "
1415. Pang Wing. " " " " "
1509. Yee Hoy Jung. " " " " "

Mr. Solicitor General Platt, of counsel for the appellee, submitted to the consideration of the Court a motion to advance these cases.

The United States. On motion of Mr. J. K.
758 vs. Appellant. McCammon, of coun-
The Central Pacific R.R.Co. sel for the appellee,
leave is hereby grant-
ed the Clerk to issue the mandate in this cause.

Ex parte: In the matter Mr. J. Athens John-
of Jefferson Wilson. son, of counsel for
Petitioner. the petitioner, submit-
ted to the consider-
ation of the Court a motion for leave to file
a petition for a writ of habeas corpus

57 The Steamships "Wacoosta" etc. vs. Appellant. Edward S. Wesley et al. Appellees

On motion of Mr. J. H. Choate, on behalf of counsel leave is hereby granted the Clerk to issue the mandate in this case

88 Edward S. Wesley et al. vs. Appellant. The Steamships "Wacoosta" etc. Appellees

59 The United States. vs. Plff. in Error. William Henry Gorse. Deft.

On motion of Mr. George A. King, leave is hereby granted the Clerk to issue the mandate in this cause.

244 James Larkin et al. vs. Plffs. in Error. David H. Upton et al. Deft.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. W. G. Morris, in support of the same, & Mr. [illegible] & Mr. [illegible] in opposition thereto.

Patrick Manning. vs. Plff. in Error. George Weeks, Warden etc. Deft.

Mr. Rufus A. Cole, of counsel for the plaintiff in error

submitted to the consideration of the Court a motion for leave to docket this case and proceed thereon in forma pauperis.

Bertrand Talcy.
vs. } of D.C. 1869. — vs. — Pff in Error.
Simon Block.

Mr. W.A. Maury of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to vacate and set aside the judgment entered herein by this Court on the 23d. day of May, 1890. and to enter a judgment nunc pro tunc as of a day and date prior to the 31st. day of December, A.D. 1889.

John J. Miller
vs. } Appellant.
Linda Mc Jane.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Gertrude H. Hardin
161. vs. Plff. in Error
Conrad H. Jordan.
And
Charles H. Mitchell.
167 vs Plff. in Error.
Jabez G. Swale et al.

The argument of these cases was continued by Mr. Thomas Dent, of counsel for the plaintiff in error in No. 161, by Mr. William Prescott, of counsel for the plaintiff in error in No. 167, by Mr. W. C. Goudy, of counsel for the defendants in error, and Mr. J. F. Gregory of counsel for the plaintiff in error in No. 167.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Tuesday, January 27th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. ..... Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John G. Carlisle it is ordered that James B. Reilly, Esquire, of Pottsville, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this

behalf by Mr. W. W. Morrow it is ordered that Thomas J. Geary, Esquire, of Santa Rosa, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. J. Hopkins it is ordered that C. A. Stice, Esquire, of Joliet, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that R. M. Mc. Murry, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Patrick Manning. Plff. in Error.
vs.
George Wicks, Warden etc.

Mr. R. A. Cole, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance the

Gertrude H. Hardin.
161. vs. Pff. in Error.
Conrad N. Jordan.

Charles H. Mitchell.
167 vs. Pff. in Error.
Jabez G. Swale et al.

The argument of these cases was continued by Mr. S. S. Gregory, of counsel for the plaintiff in error in No. 167, and concluded by Mr. Thomas Dent, of counsel for the plaintiff in error in No. 161.

Ex parte: In the matter of
Thomas Henry Cooper.
Petitioner.

And

Ex parte: In the matter of
Sir John Thompson, K.C.M.G.

The argument on the motion for leave to file a petition for writ of prohibition and the accompanying suggestion herein was commenced by Mr. Calderon Carlisle in support of the same, and continued by Mr. Solicitor General Fitz and Mr. Attorney General Miller in opposition thereto, and Mr. Joseph H. Choate in support of the same.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'Clock.

Wednesday, January 28th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that H. John Boyle, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this

today by Mr. Assistant Attorney General Henry it is ordered that Augustus Ferris, Esquire, of Port Hamilton, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. William M. Springer it is ordered that W. J. Bryan, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. Solicitor General Davis it is ordered that Edgar Allen, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. Jeremiah Haley it is ordered that Edgar M. Warner, Esquire, of Putnam, State of Connecticut be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The British Queen Mining Company of Colorado. vs. Plff. in Error. The Baker Silver Mining Company.

On motion of Mr. James B. Reilly, of counsel for the plaintiff in error It is ordered by the Court that this cause be passed, subject to the provisions of section 9 of Rule 21.

Ex parte: In the matter of Thomas Henry Cooper. Petitioner.

And

Ex parte: In the matter of Sir John Thompson, M.C.M.G.

The argument on the motion for leave to file a petition for writ of prohibition and accompanying suggestion was concluded by Mr. Joseph H. Choate, in support of the same.

Robert Schell et al. Executors etc. vs. Plffs. in Error. Otto W. Politz et al.

165

Hiram Barney, Collector etc. vs. Plff. in Error. Edward Kaupe et al.

186

On motion of Mr. Samuel G. Phillips of counsel for the defendants in

Hiram Barney, Collector etc. error, leave is
1000 vs. Pff. in Error. hereby granted
Benjamin Pomes et al. the Clerk to is-
sue the Mandates
in these cases.

Robert Schell et al, Executors &c. This cause was
690 vs. Pffs. in Erro. argued by Mr.
Victor Pauché et al. Assistant Attor-
ney General
Parker, of counsel for the plaintiffs in error, and
Mr. Samuel E. Phillips, of counsel for the de-
fendants in error.

Dora A. Burt et al. This cause was ar-
165 vs. Pffs. in Error. gued by Mr. H. W.
The Sierra Butte Gold Morrow, of counsel
Mining Co. (Limited). for the defendant
in error, and sub-
mitted on a printed argument by Mr. J. F. Lis-
of counsel for the plaintiffs in error.

John W. Hamner Jr. et al. The argument of
171. vs. Appellants this cause was
L. G. Moulton et al. commenced by

Mr. James D. Park, of counsel for the appellant.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock

Thursday, January 29th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John C. Carlisle it is ordered that Jason Walker, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

181 The Aspinwall Manufacturing Company, Appellant vs. Bennington Gill et al. Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

182 The J. L. Mott Iron Works, Appellant vs. Charles H. Skerin et al. Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this

Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

183. The J. L. Mott Iron Works ... vs. ... Patrick Cassidy et al.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, Thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by the Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

185. Albert B. Briggs, Receiver etc. ... vs. ... E. G. Spaulding et al.

Appellant

Ordered by the Court that this cause be passed.

1171. John W. Hamer Jr. et al. vs. Appellants. L. E. Mouton et al. The argument of this cause was concluded by Mr. James O. Park, of counsel for the appellants, and the case was submitted on a printed argument by Mr. Laurie Robertson, of counsel for the appellee.

1172. Adalet Gage vs. Appellant John H. Bard. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Augustus H. Gage, of counsel for the appellants, and Mr Levi Sprague, of counsel for the appellee.

1178. The United States vs. Plaintiff. Clark Brewer et al. Ordered by the Court that this cause be, and the same is hereby, re assigned for argument on the first Monday of March next after the cases heretofore assigned for that day.

1382. John Graham ... vs. ... Pff. in Error. ... George Weeks, Warden etc. ... The argument of this cause was commenced by Mr. Rublee A. Cole, of counsel for the plaintiff in error. The Court declined to hear further argument.

1539. Sylvester H. Husband ... vs. ... Appellant. ... The American Loan & Trust Co. et al. ... The argument of these cases was commenced by Mr. John W. Butler, of counsel for the appellant, & continued by Mr. Henry D. Hyde, of counsel for the appellees in No. 1539.

1540. And ... Sylvester H. Husband ... vs. ... Appellant. ... George William Brown, Trustee et al.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 30th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.

Stephen J. Field
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius L. C. Lamar.
David J. Brewer
Henry B. Brown.

John M. Wright. Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George P. Edmunds it is ordered that Henry C. Ide. Esquire, of St. Johnsbury, State of Vermont, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

Friday by Mr. Preston B. Plumb it is ordered that Wilson Case, Esquire, of Cowley, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

185. William Overby, Plff. in Error, vs. James A. Murray, Deft. in Error. In Error to the Supreme Court of the Territory of Montana.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

216. Lee W. Foster et al, Plffs. in Error, vs. James A. Murray, Deft. in Error. In Error to the Supreme Court of the Territory of Montana.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the Transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that the cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Geoffrey Lavell et al. vs. James A. Murray. In Error to the Supreme Court of the Territory of Montana.

217.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the Transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded

to the Supreme Court of the State of Montana
per Mr. Chief Justice Fuller.

Jonathan C. Baker
318. vs. } In Error to the Supreme
James A. Talbott et al. } Court of the Territory
of Montana.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 15th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana
per Mr. Chief Justice Fuller.

Sylvester H. Kinkaid.
1589. vs. } Appellant.
The American Land & Trust Co. et al.

Sylvester H. Kinkaid.
1590. vs. } Appellant.
George William Baker, Trustee, et al.

The argument of these cases was continued by Mr. J. L. Wight, of counsel for the ap-

pellees in No. 1340, and concluded by Mr. John W. Butler, of counsel for the appellants.

Ivoram Barney, Late Collector etc. vs. Pefts. in Error. E. A. Oelrichs et al.

This cause was argued by Mr. Assist ant Attorney Gener al Maury, of coun sel for the plain tiff in error, and Mr. Frederick D. McKenney, of counsel for the defendants in error.

W. C. Howard et al. vs. Pefts. in Error. The Stilwell and Bierce Manufacturing Co.

This cause was ar gued by Mr. W. Hal lett Phillips, of coun sel for the plain tiffs in error, and Mr. John Johns, of counsel for the defendant in error.

Whereupon by order the Court is adjourned until Monday next at twelve o'clock

Monday, February 2d 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.

Joseph P. Bradley.

John M. Harlan.

Horace Gray. Associate

Samuel Blatchford Justices

Lucius Q. C. Lamar.

David J. Brewer.

Henry B. Brown.

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in due today by Mr. Jeremiah Dailey it is ordered that Willis A. Briscoe, Esquire of Norwich, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is ordered that Free Estee, Esquire, of Mt. Pleasant, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. L. Richards it is ordered that William H. King, Esquire, of Provo City, Territory of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William H. Alexander. In Error to the Circuit Court
309 vs. Plff. in Error. of the United States for the
The United States. Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause

be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Brown.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this case).

Wood Crumpton <u>alias</u>		In Error to the Circuit
Wood Burris.		Court of the United
1810.	v.	In Error States for the Western
The United States.		District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brown.

John A. Beardsley. Appeal from the Circuit Court
119. vs. Appellant. of the United States for the
Paul G. Beardsley. Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

(Mr. Justice Brown did not sit in this case and took no part in its decision).

J. W. Horn. Appeal from the Supreme
148. vs. Appellant. Court of the Territory of
Andrew Akers. Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Dakota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this

Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of South Dakota.

per Mr. Justice Lamar.

Martha A. Miller ..... Appeal from the
1366. vs. Appellant. ..... Circuit Court of
Emma G. Clark, Mary Ben the United States
Clark, Albertus H. Clark, Exec for the District
utor of Irene Clark deceased, of Connecticut.
and Ellen C. Platt.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and on motion to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Blatchford.

The City of St. Louis, Survivor, ... Plff. in Error, vs. Edward Ritz. ... Defendant in Error. } In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

Annie M. Upshur and Jennie A. Upshur, ... Plffs. in Error, vs. Mary E. Briscoe, widow, Mrs. Betty Dean & H. Clarence Bird man, her husband: Mrs. Elizabeth Andrews, by Thomas C. Andrews her husband; & Miss Frances Andrews, and Annie M. Saunderson, her husband. ... Defendants in Error. } In Error to the Supreme Court of the State of Louisiana.

1146

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Lewis E. Waterman . . . Appeal from the Cir-
82. . . . vs. . . . Appellant, . . . cuit Court of the United
James A Mackenzie and . . . State for the Southern
Samuel R. Murphy, . . . District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Mr. Justice Brewer not having been a mem-

ber of the Court when this case was argued, took no part in its decision.]

The United States Mortgage Company. vs. Appellants. Lucius Sperry, Henry W. Magbury, Eva Laurence, James C. Magsbury et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein conformed with the opinion of this Court.

per Mr. Justice Harlan.

William D. Wadsworth as Administrator of the estate of Frank A. Wadsworth, deceased			In Error to the Circuit Court of the United States for the Northern District of Alabama.
1532.	vs.	Pff. in Error.	
Theodore Adams.			

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that the cause be and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Harlan.

Wilson Ames			In Error to the Supreme Court of the State of Illinois.
1504.	vs.	Pff. in Error.	
Robert Ware, John A. Hood and James Peterson, late partners as Robert Ware and Company.			

Monday, February 24 1890. Continued

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by the Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

Chas. Naughton
vs.
Bff. in Error
James A. Woolley.

In Error to the Supreme Court of the State of Texas.

346

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Bruno Beaubre, Frank Hoyt and John F. Broderick		In Error to the
		Supreme Court
167	vs. Defts. in Error	of the State of
Daniel R. Noyes, Charles P. Noyes & Edward H. Cutler.		Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan.

Bruno Beaubre, Frank Hoyt and John F. Broderick.		In Error to the
		Supreme Court
166	vs. Defts. in Error	of the State of
Daniel R. Noyes, Charles P. Noyes & Edward H. Cutler.		Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof,

It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

The Wheeling and Belmont Bridge Company.	In Error to the Supreme Court
1135 vs.	of Appeals of the
The Wheeling Bridge Company.	State of West Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby affirmed with costs and interest, and paid, at the same rate per annum that similar judgments bear in the Courts of the State of West Virginia.

per Mr. Justice Field.

D. H. Brown et al.		Appeal from the Cir-
138.	v. Appellants	cuit Court of the
Charles W. Snowden &		United States for the
James Alexander		District of Kentucky.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that the cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand it to the State Court.

per Mr. Chief Justice Fuller.

The United States		Appeal from the
1343.	v. Appellant	Court of Claims.
James L. Crew.		

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consider-

ation whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter a judgment in favor of the claimant for the sum of $4.17.

per Mr. Chief Justice Fuller.

361. The Kansas City, Fort Scott & Memphis Railroad Company. vs. R. S. Daugherty, Administrator of John W. Daugherty, deceased. Pff. in Error. In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same

rate per annum that similar judgments bear in the Courts of the State of Tennessee.

per Mr. Chief Justice Fuller.

---Order.---

It is ordered by the Court that Mandates issue in all cases decided prior to the 1st of January, 1891, when applied for, except where a petition for rehearing is pending and cases docketed and dismissed under the 6th rule.

per Mr. Chief Justice Fuller.

1606

The Chattanooga Northern Railway Company.
vs
Albert V. Gude

On consideration of the motion of Mr. John G. Warfield, of counsel for Albert V. Gude to docket and dismiss this cause, and it appearing to the Court that The Chattanooga Northern Railway Company has failed to have the cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that this cause from the Circuit Court of the United States for the Northern District of Alabama, be, and the same

is hereby, docketed and dismissed with costs. and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Bertrand Salvy vs. Simon Block. No. 1 of O.D. 1889 — Pff. in Error.

On consideration of the motion to vacate and set aside the judgment entered herein by this Court on the 23d day of May, 1890, and to enter a judgment nunc pro tunc as of a date prior to the 31st day of December 1889, It is now here ordered by the Court that said judgment be, and the same is hereby, vacated and set aside, and a new judgment in like terms is hereby ordered to be entered nunc pro tunc, as of December 19, 1889, the day on which the case was submitted.

per Mr. Chief Justice Fuller

Bertrand Salvy vs. Simon Block. No. 2 of O.D. 1889 — Pff. in Error

In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the defendant.

It is further ordered that this judgment be entered nunc pro tunc as of December 19, 1889.

per Mr. Justice Bradley.

James Larkin et al. ..... It is ordered by the
vs. Appeal in Error Court that the further
David H. Upton et al. consideration of the motions to dismiss or affirm in this cause be postponed until the hearing of the cause on its merits

per Mr. Chief Justice Fuller

555	Wa Hai Young,	Appellant	vs.	The United States
559.	Leong We,	"	"	"	"	"
602.	Lee Wing,	"	"	"	"	"
603.	Gun Sin Haw,	"	"	"	"	"
604	War Hai Young,	"	"	"	"	"
605.	How Dai Quong,	"	"	"	"	"
606	Quock Ah Suk,	"	"	"	"	"
607.	Leong Chong,	"	"	"	"	"
608	Wong Dow Jo,	"	"	"	"	"
609.	How Yee Lung,	"	"	"	"	"
610.	Wong Ah Yick,	"	"	"	"	"
611.	Ong Kin Ong,	"	"	"	"	"
612.	Mock Lee,	"	"	"	"	"
613.	Dong Jong,	"	"	"	"	"
614	Ring Chong,	"	"	"	"	"
615.	Wong Gun,	"	"	"	"	"
616.	Lun Guan Henry	"	"	"	"	"
617.	Kong Gun,	"	"	"	"	"
618.	Dow Yee,	"	"	"	"	"
632	How Quong Pok,	"	"	"	"	"
633	Gun Chong,	"	"	"	"	"
634	Chan Ging Kan,	"	"	"	"	"
635	Lee Sick,	"	"	"	"	"
636.	War We Jung,	"	"	"	"	"
637	War Sick Yew,	"	"	"	"	"

639. Lwock Ting. Appellant. vs. The United States.
639. Dang Do, " " " " "
640. Lee Kwaw, " " " " "
641. Lie Chong, " " " " "
642. Lui Hok Chun, " " " " "
650. Yee Quong Lin, " " " " "
651. Yee Quong Wung, " " " " "
652. Wong Li Lip " " " " "
653. Jung Dok Jun, " " " " "
654. Wong Du Choy, " " " " "
655. Wong You Choy, " " " " "
656. Chin Lui Gar. " " " " "
657. Wong Lui Gong. " " " " "
658. Poon Chuck Bee, " " " " "
659. Lee Ling Lung, " " " " "
660. Low Dew Chong, " " " " "
661. Low Lin Yok. " " " " "
662. Lem Dor Ang, " " " " "
663. Lee Kum Lue, " " " " "
664. Lee Ah Doo, " " " " "
665. Ching Dai Kwong, " " " " "
666. Wack Lew Hong. " " " " "
667. Lum Hong Lue, " " " " "
668. Chung Ching Wo, " " " " "
678. Dow Ah Dong " " " " "

77 Choy Yow Yee, Appellant, vs. The United States.
80 Wo Quan Goon " " " " "
81 Jeong Kee, " " " " "
113 Leong Kum Ping, " " " " "
114 Wan Shing, " " " " "
115 Pang Wing, " " " " "
509 Yee Hoy Jung, " " " " "

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on the third Monday of March next.

per Mr. Chief Justice Fuller.

Patrick Manning.
vs. Petn. in Error.
George Weeks, Warden etc.

On consideration of the motion to docket this cause, and for leave to prosecute the same in forma pauperis, and to advance the cause. It is now here ordered by the Court that said motions be, and the same are hereby granted and the cause assigned for argument on the third Monday of March next, after the causes heretofore assigned for that day.

Ex parte: In the matter of Jefferson Wilson. Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein and to prosecute the same in forma pauperis. It is now here ordered by the Court that said motion be, and the same is hereby granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Jefferson Wilson. Original. Petitioner. On petition for a writ of habeas corpus.

11.

On consideration of the petition of Jefferson Wilson. It is now here ordered by the Court, that cause be shown by P. H. Paul, United States Marshal for Arizona, before this Court, at the City of Washington on the 9th. day of March. 1891 at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard why a writ of habeas corpus should not issue as prayed in said petition.

per Mr. Chief Justice Fuller.

Henry B. Lee
#79 vs. Off. in Error
The Bellthorpe Air Brake Co

On consideration of the motion that leave be granted the Clerk to issue the writ as in this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Thomas Henry Cooper, owner and claimant of the Schooner "W. P. Sayward" ... Petitioner ...

On consideration of the motion for leave to file a petition for a writ of prohibition herein, and of the argument of counsel thereupon had as well as support of, as against the same,

It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the Clerk of this Court is directed to file with such petition the accompanying suggestion as well as the printed arguments of counsel.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Thomas Henry Cooper, owner & claimant of the Schooner "W. P. Sayward."	On petition for a Writ of Prohibition.
9. Original. Petitioner	

On consideration of the petition of Thomas Henry Cooper.

It is now here ordered by this Court that cause be shown by the Judge of the District Court of the United States for the District of Alaska before this Court, at the City of Washington, on the 18th day of April, 1891 at 2 o'clock P.M. of that day or as soon thereafter as counsel can be heard why a writ of prohibition should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

John J. Willis.	On motion of Mr.
176. vs Appellant.	H. D. Donnelly, of counsel for appellee leave
Filed 1st June.	is hereby granted

the Clerk to issue the mandate in this cause.

The United States
v. Original. vs. Complainant.
The State of Texas.

On motion of the Solicitor General Esq., leave is here by granted to file an amended bill of complaint herein.

Amos Woodruff, Trustee et al.
15 Wl. vs. Pffs. in Error.
The State of Mississippi et al.

The motion to dismiss in this cause, was submitted to the consideration of the Court on the record and printed arguments by Mr. Frank Johnston, Mr. W. P. Harris Mr. D. H. Miller Jr. Mr. J. Hubley Ashton, in support of the same and Mr. Marcellus Green, in opposition thereto.

Ex parte: In the matter of John K. Garnett, Thomas G. Stubbs & William L. Dixon co-partners, composing the firm of Garnett, Stubbs and Co., et al.

Petitioners.

On motion of Mr. W. U. R. Berry in behalf of counsel for the petitioners leave is hereby granted to file a petition for a writ of prohibition herein. per Mr. Chief Justice Fuller

Ex parte: In the matter of John H. Barnett, Thomas P. Stubbs & William A. Rives, Co-partners composing the firm of Barnett, Stubbs & Co. et al. Original. ... Petitioners. } On petition for a Writ of Prohibition.

On consideration of the petition of John H. Barnett, Thomas P. Stubbs and William A. Rives, copartners, composing the firm of Barnett, Stubbs and Co. et al.

It is now here ordered by this Court that cause be shown by the Judge of the District Court of the United States for the Southern District of Georgia, Eastern Division, before this Court, at the City of Washington, on the 2d day of March 1891, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of prohibition should not issue as prayed in said petition.

per Mr. Chief Justice Fuller.

1561. J. W. Allen, Comptroller &c., Appellant, vs. Pullman's Palace Car Co. And

On motion of Mr. Benton Mc. Millin, in behalf

382 J. M. Allen, Comptroller &c. vs. Pullman's Palace Car Co. Appellant. of counsel. It is ordered by the Court that these cases be, and they are hereby, assigned for argument with No. 7 &c.

362 The Red River Valley Co vs. M. K. Heckman et al. Pff in Error. On motion of Mr. W. Hallett Phillips of counsel for the defendants in error this cause is hereby granted the writ to issue the mandate in this cause.

257 The Chicago & Pacific Railway Company vs. Henry Saunders. Deft. in Error. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Turner, in support of the same, & Mr. John G. Dillon & Mr. W. S. Pierce, in opposition thereto.

Proclamation being made the Court is adjourned until Monday, March 2d next at twelve o'clock

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Evarts it is ordered that James Lansing Esquire, of Troy, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Solicitor General Taft it is ordered that Henry L. Morey, Esquire, of Hamilton, State of Ohio, and W. Wickham Smith, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Clarke it is ordered that O. H. Lockwood, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of the Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Morrow it is ordered that W. H. Clark, Esquire, of Rock Island, State of Illinois, be admitted to practice as an attorney and counsellor of the Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Commander Parker it is ordered that J. Hay and Henry Esquire, of Philadelphia, State of Pennsylvania, be admitted to prac-

ter as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred Gaylor it is ordered that James W. Hyde and Herman Baron, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Woodruff it is ordered that Elisha M. Sanford, Esquire, of Prescott, Secretary of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. B. Hallam it is ordered that Edward S. McDermott, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. C. E. Perkins it is ordered that Solomon Lucas, Esquire, of Norwich, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion filed and made to the Court in this behalf by Mr. George G. Sears it is ordered that Solon Bancroft, Esquire, of Reading, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of Missouri, ex rel: John H. Carey.		In Error to the Supreme Court
127 vs.	Jeff. in Error.	of the State of
Joseph Andriano.		Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for

the writ of jurisdiction.

per Mr. Justice Brown

John Lucas & James A. Murray. Appellants. vs Thomas Todd. Appeal from the Supreme Court of the Territory of Montana.

No. 177.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Supreme Court of the State of Montana

per Mr. Justice Brown.

Monday, March 6th, 94. Continued.

Robert Schell, James M. Bellows
& Edward Schell, Executors of
Augustus Schell deceased, late
Collector of the Port of New York
690. vs. Appts in Error
Nicholas Bruce and Thomas
A. Jordan surviving partners
of the firm of Nicholas Bruce
and Company.

In Error to
the Circuit
Court of the
United States
for the South-
ern District
of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Brown.

Calvin H. Russell, Receiver of The American National Life and Trust Company of New Haven, Connecticut.		Pltf. in Error.	In Error to the Circuit Court of the United States for the Southern District of New York.
126.	vs.		
Augustus D. Post.			

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

It is further ordered that this judgment be entered nunc pro tunc as of January 5, 1891.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Bradley.

The Central Trust Company of New York, Robert Davidson, John Anderson, Jr., Charles Cameron et al.

137. vs. Appellants.

Sylvester H. Rowland.

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Case Manufacturing Company.

150. vs. Pff. in Error.

Peter H. Seaman, Mount J. Seaman, Caleb W. Walters, Henry C. Beck, & Robert Mc. Williams, partners as The Labrobe Milling Company.

In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

William Cressey and The State of Louisiana. ... Appeal from
145. vs. ... Appellants. The Circuit Court
Hermann Meyer, Bernard of the United
Lemann, Meyer Lemann, States for the
Richard O'Kanon, Pedro Landreaux, Eastern Dis-
Maria Louisa Landreaux, Charles trict of Louis-
Metzinger, Barthelemy Landry, Mrs. iana.
George Davis and Lord and The Citizens'
Bank of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louis-

cause, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Troy Laundry Machine Company, Limited. vs. Alexander McDolph. Pff. in Error

149. In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Brewer.

The Louisville, Evansville & St. Louis Railway Company. Appellant
vs. } Appeal from the Circuit
Bluford Wilson. } Court of the United States
163 for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, with costs to pay one half of the costs in this Court; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to allow the intervenor three hundred dollars.

per Mr. Justice Brewer.

Joseph B. Williams Appeal from the Circuit Court
vs. } of the United States for the
157 The United States. } District of Wyoming.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brown.

Mr. Justice Gray was not present at the argument and took no part in the decision.

Sylvester K. Newlan, Appellant
vs.
The American Loan & Trust Company & E. B. Phillips, Trustee. Appeal from the Circuit Court of the United States for the District of Indiana.

No. 684.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause as to The American Loan and Trust Company, &c.

and the same is hereby, modified, and as to P. B. Phillips, Trustee, be, and the same is hereby, affirmed with interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Indiana: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to reduce the allowance to The American Loan and Trust Company by the sum of $772.58.

It is further ordered that Sylvester H. Shuck and The American Loan and Trust Company, each pay one-half of the costs in this Court.

Per Mr. Justice Brewer.

Sylvester H. Shuck. Appeal from the Circuit Court of the United States for the District of Indiana.
540. vs. Appellant.
George William Walton, Trustee, et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and de-

creed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that said that decree bear in the Courts of the State of Indiana.

per Mr. Justice Brown.

Abner L. Merrill vs. Peff in Error. The Town of Monticello

125. In Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

Mr. Justice Brown was not a member of the Court when this case was argued and took no part in its decision.

The Chief Justice and Mr. Justice Brown

were not present at the argument, and took no part in its decision).

D. P. Heath. In Error to the Supreme
537. vs. Pff. in Error. Court of the State of Cal-
Wm. G. Wallace. ifornia.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. per Mr. Justice Lamar.

Richard Hornby vs Morton In Error to the
Culver. Circuit Court of
574. vs. Pff. in Error. the United States
James Duncan, and James Mc- for the Northern
Kaw, Executors of Edward Clark, District of Illi-
deceased, nois.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the

United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Lamar.

Robert B. Simmons et al. Appeal from the Circuit
1385. vs. Appellants. Court of the United States
Harry N. Saul. for the Eastern District
of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

John W. Kramer Jr. James N. Clark & John T. Clark Co.		Appeal from the Circuit Court
171	vs.	of the United
Appellants		States for the
Lewman G. Moulton, C. R. Early, Samuel B. Johns, J. B. Kerby et al.		Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

The Central Transportation Company.		In Error to the Circuit Court of the
172	vs.	Pff. in Error.
Pullman's Palace Car Company.		United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

(Mr. Justice Brown not having been a member of the Court when this case was argued, took no part in its decision).

Pullman's Palace Car Company. vs. The Central Transportation Company. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with

costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

(Mr. Justice Brewer, not having been a member of the Court when this case was argued took no part in its decision).

Dora A. Smith & Mary Dora Smith, a minor, by Dora A. Smith, guardian ad litem. vs. Pepper, in Error. The Sierra Butte Mining Company, Limited.

In Error to the Circuit Court of the United States for the Northern District of California.

168.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

The Carrington Stock Yards Company.

33. vs. Appellant.

Charles W. Keith, & Edward W. Wilson, partners as Keith and Wilson

Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Newell D. Clark.

116 vs. Pff. in Error

James L. Bever, Administrator of the estate & effects of George Grimm, dec'd.

In Error to the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Harlan.

(Mr. Justice Brown not having been a member of the Court when this case was argued took no part in its decision).

Jacob Cogg. — Appeal from the Circuit
185 vs. Appellant. — Court of the United States for
John S. Bivins. — the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

The Logan County National Bank.		In Error to the Court of Appeals of the State of Kentucky.
170.	vs. Pff. in Error.	
R. P. Townsend.		

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

The Chicago, St. Louis and New Orleans Railroad Company.		In Error to the Circuit Court of the United States for the Eastern District of Louisiana.
118	vs. Pff. in Error.	
The Pullman Southern Car Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern

District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial in conformity with the opinion of this Court.

per Mr. Justice Harlan.

(Mr. Justice Blatchford did not sit in this case or take any part in its decision).

Thomas L. King. vs. Plff. in Error
John W. Deane.

In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest in-

be paid, at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

per Mr. Justice Harlan.

Mr. Justice Brown not having been a member of the Court when this case was argued, took no part in its decision.

Carl Stockmeyer, Testamentary Executor of Edward D. Stockmeyer, deceased.

vs. Appellant.

Mrs. Mary E. Dobru widow of Charles J. Mc.Cay, deceased, individually, & as Tutrix of the minors Nate Elizabeth, Jamie Dobru, David Chambers, Hester Margaret, and —— Mc.Cay, Henri Godberru et al.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

No. 145.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court

that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

The City of New Orleans
1293. vs. Appellant.
William Wallace Whitney, Administrator of the succession of Myra Clark Gaines
And
William Wallace Whitney, Administrator of the succession of Myra Clark Gaines.
1820. vs. Appellant
The City of New Orleans.

Appeals from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, on appeal and cross appeal and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and

the cause is hereby modified by adding to it the sum of $34,000, with interest until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Louisiana: and that the cause be, and the same is hereby remanded to the said Circuit Court with directions to modify its decree in accordance with the opinion of this Court.

It is further ordered that the City of New Orleans pay the costs in this Court.

per Mr. Justice Bradley.

Dissenting

Mr. Justice Brewer.

Mr. Justice Gray was not present at the argument and took no part in the decision of this case.

Patti A. Clay. Appellant.

395 vs.

David J. Field & Lucy C. Freeman.

Lucy C. Freeman, Appellant.

385 vs.

Patti A. Clay & Cornelius J. Clay, her husband.

David J. Field, Appellant.

391. vs.

Patti A. Clay.

Appeals from the Circuit Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Mississippi on separate appeals and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the appeal of Lucy C. Freeman be, and the same is hereby, dismissed for the want of jurisdiction; and that the decree of the said Circuit Court, in this cause, in favor of David I. Guild be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to enter a decree that the complainant, Willis T. Way, pay to said David I. Guild the sum of $2,690.37½, with interest from the first day of January 1887.

It is further ordered that each party pay his and her own costs on these appeals, except the cost of printing the record, which shall be paid one half by the appellant Willis T. Way and one half by the appellants Lucy C. Freeman and David I. Guild.

per Mr. Justice Bradley.

The St. Paul & Pacific Railroad Company: Jacob S. Wetmore, Thomas Denny & Thomas W. Pearsall, Trustees etc & The St. Paul, Minneapolis & Manitoba Railway Company.

54 vs. Appellants.

The Northern Pacific Railroad Company.

Appeal from the Circuit Court of the United States for the District of Minnesota

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, and judged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs

per Mr. Justice Gray.

The St. Paul, Minneapolis & Manitoba Railway Company.

24. vs. Appellant.

Charles W. Greenalgh & James Greenalgh.

Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

The St. Paul, Minneapolis & Manitoba Railway Company, Appellant, vs. Charles Wenzel. Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs. per Mr. Justice Field

The City & County of San Francisco. vs. Eugene de Roy & René de Pocquerille. Appeal from the Circuit Court of the United States for the Northern District of California.

177.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified by striking the declaration that nothing therein shall be deemed to impair in any respect the rights reserved in the Ordinance exclusion to the City of San Francisco, or to its successors, the City and County of San Francisco, over lands that had been occupied or set apart as streets, squares, and public buildings of the City, and as thus modified, be affirmed with costs.

per Mr. Justice Field.

1332. John Graham. vs. Pet. in Error. George Wicke, Warden of the Wisconsin State Prison. In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

166. John E. Parsons and Charles H. DaCosta, Executors of Hugh Maxwell, deceased late Collector of the Port of New York. vs. Peffs. in Error. Gawler Wilkinson, Charles Whitaker and Charles Whitaker, Jr. In Error to the Circuit Court of the United States for the Southern District of New York.

A stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed. Therefore, in pursuance of

said stipulation. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

Robert Schell, James W. Gerard & Edward Schell, Executors of Augustus Schell, deceased, late Collector of the Port of New York.

423. vs. Plffs. in Error.

Samuel Johnson, James Henry Woods et al.

In Error to the Circuit Court of the United States for the Southern District of New York.

A stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per an-

annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

Robert Schell, James W. Bellows & Edward Schell, Executors of Augustus Schell, deceased, late Collector of the Port of New York. — In Error to the Circuit Court of the United States for the Southern District of New York.

414 vs. Pets. in Error.

James L. Wise, Administrator of Duncan Mc. Dougall, surviving partner of A. Hemiquin & Company.

A Stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed, Therefore, in pursuance of said Stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, in to be paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

Robert Schell, James W. Bellows, & Edward Schell, Executors of Augustus Schell, deceased, late Collector of the Port of New York.
vs.
Gerdinand C. Latimer, sole survivor of J. W. Schulten & Latimer

In Error to the Circuit Court of the United States for the Southern District of New York.

125. Pets. in Error.

A stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed. Therefore, in pursuance of said stipulation. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

Hiram Barney, late Collector of the Port of New York.
vs.
Henry A. Hurlbut and Charles G. Landon, surviving Executors

In Error to the Circuit Court of the United States for the Southern District of New

426. Plf. in Error.

A Stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

427 Abram Barney, late Collector of the Port of New York. vs. Benjamin L. Curtis Executor of Lewis Curtis, deceased, late survivor of L. & B. Curtis & Co. In Error to the Circuit Court of the United States for the Southern District of New York.

A Stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed Therefore, in pursuance of said Stipulation It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and

the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

Robert Schell, James W. Edmonds and Edward Schell, Executors of Augustus Schell, deceased, late Collector of the Port of New York.

vs.

Marius A. Sorchan and Charles Wigelman, surviving partners &c.

In Error to the Circuit Court of the United States for the Southern District of New York.

429

A stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

Robert Schell, James W. Gillow & Edward Schell, Executors of Augustus Schell, deceased, late Collector of the Port of New York		In Error to the Circuit Court of the United States for the Southern District of New York.
431.	vs.	Pltffs. in Error.	
Adrian Iselin, surviving partner of A. Iselin and Company.			

It is stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed, Therefore, in pursuance of said Stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, while paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

Robert Schell, James W. Gerard & Edward Schell, Executors of Augustus Schell, deceased late Collector of the Port of New York. vs. Plffs. in Error. Alexander Richard & Noah Lodge Executors of Alexander Richard, deceased.

In Error to the Circuit Court of the United States for the Southern District of New York.

Stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Chief Justice Fuller

Robert Schell, James W. Gibbons &
Edward Schell, Executors of Au-
gustus Schell deceased late Col-
lector of the Port of New York.
vs.
Richard L. Morrison Public Ad-
ministrator of the Estate of Hypo-
lite de Goer, deceased, late sur-
viving partner of H. de Goer and
Piffard.

In Error to
the Circuit
Court of the
United States
for the South-
ern District
of New York.

487. Pepp. in Error.

Stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller

Robert Schell, James W. Pellew & Edward Schell, Executors of Augustus Schell, deceased, late Collector of the Port of New York		In Error to the Circuit Court of the United States for the Southern District of New York
492.	vs. Pffs. in Error.	
Alfred Woodbridge surviving partner etc.		

A stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

Robert Schell, James W. Pellew & Edward Schell, Executors of Augustus Schell, dec'd, late Collector of the Port of New York		In Error to the Circuit Court of the United States for the Southern District of New York
494.	vs. Pffs. in Error.	
Edward Bedard, sole surviving partner of B. Worth & Company.		

A stipulation of counsel for the respective parties to affirm the judgment in this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

Warren A. Sorchan and Charles Diggelman surviving partners etc., Plffs. in Error
vs. } In Error to the Circuit Court of the United States for the Southern District of New York.
1430. Robert Schell, James W. Gelston, & Edward Schell, Executors of Augustus Schell, deceased, late Collector of the Port of New York.

A stipulation of counsel for the respective parties to dismiss this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be,

and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Adrian Iselin, surviving partner of A. Iselin & Company. vs. Robert Schell, James W. Bellows & Edward Schell, Executors of Augustus Schell, deceased, late Collector of the Port of New York.

432 Pff. in Error. In Error to the Circuit Court of the United States for the Southern District of New York.

Stipulation of counsel for the respective parties to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Alfred Woodbridge, Jun. partner &c. vs. Robert Schell, James W Bellows, & Edward Schell, Executors of Augustus Schell, deceased, late Collector of the Port of New York.

493 Pff. in Error. In Error to the Circuit Court of the United States for the Southern District of New York

Edward Bodart, late surviving partner of G. Morlot & Company.		In Error to the Circuit Court of the United States for the Southern District of New York.
495	vs. Pffs. in Error.	
Robert Schell, James W. Gillespie & Edward Schell, Executors of Augustus Schell deceased, late Collector of the Port of New York.		

A stipulation of counsel for the respective parties to dismiss this cause having been filed. Therefore in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Victor Fauché and Marius A. Sorchan, surviving partners of the firm of Lachaise, Fauché and Company.		In Error to the Circuit Court of the United States for the Southern District of New York.
691	vs. Pffs. in Error.	
Robert Schell, James W. Gillespie & Edward Schell, Executors of Augustus Schell deceased, late Collector of the Port of New York.		

A stipulation of counsel for the respective parties to dismiss this cause having been filed. Therefore, in pursuance of said stipulation It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

The Union Pacific Railway Company.
1257. vs. Pff. in Error.
Henry Saunders.

On consideration of the motion to dismiss in this cause and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Amos Woodruff, Trustee, et al.
1561. vs. Pffs. in Error.
The State of Mississippi et al.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

The Lawrence Manufacturing Company		Appeal from the Circuit Court of the
01.	vs. Appellant.	United States for the
The Tennessee Manufacturing Company.		Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

(Mr. Justice Bradley did not sit in this case or take any part in its decision).

(Mr. Justice Brown not being a member of the Court when this case was argued took no part in its consideration and decision).

The Lawrence Manufacturing Company.		Appeal from the Circuit Court of the United States
126.	vs. Appellant.	for the Western Dis-
The Janesville Cotton Mills.		trict of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

(Mr. Justice Blatchford did not sit in the case or take any part in its decision).

(Mr. Justice Brewer, not being a member of the Court when the case was argued, took no part in its consideration and decision).

C. B. Anderson, Administrator of the estate of Edward J. Wilson, deceased, Thomas Emmett Wilson, Sarah J. Davis & George W. Davis.		Appeal from the Circuit Court of the United States for the Northern District of Illinois.
138.	vs. Appellants.	
James L. Watts, Executor of James Lynningston, deceased.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Northern District of Florida and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be and the same is hereby remanded to the said Circuit Court with a direction to dismiss the bill for want of jurisdiction.

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Brewer.

Herman Oelrichs, Late Collector of the Port of New York, Plff. in Error, vs. E A Ostrichs Herman B. Nor Sol and Gustav Schwab.

In Error to the Circuit Court of the United States for the Southern District of New York.

177

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the

said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

The County of Cook. In Error to the Su-
1406. v. preme Court of
The Calumet & Chicago the State of Illinois.
Canal & Dock Company.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Charles Counselman
1617 vs. Appellant.
Frank Hitchcock, U. S.
Marshal &c.

Mr. Attorney General Miller of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

C. E. Cook et al.
1311 vs. Pffs. in Error
The United States.

On motion of Mr. Solicitor General Taft, of counsel for the defendant in error,

Leave is hereby granted the Clerk to issue the mandate in this cause.

John B. Ball et al.
1351 vs. Pffs. in Error
The United States.

On motion of Mr. Solicitor General Taft, of counsel for the defendant in error,

It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the first Monday of April next.

Daniel Wagner, Collector &c.
880 vs. Pff. in Error
Edward Luckemeyer et al

On motion of Mr. Solicitor General Taft

A. B. Seberger Collector &c.
1441 ... vs. Plff. in Error.
John L. Barwell & Company.

of counsel for the plaintiffs in error. It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on the 16th. inst. next.

The United States.
Original ... vs. ... Complainant
The State of Texas

On motion of Mr. A. H. Garland of counsel for the defendant leave is hereby granted the defendant to file the answer of the defendant to the amended bill of complaint herein.

Robert W. Boyd et al.
1642 ... vs. ... Appellants.
The United States et al

and

Charles Nerubach et al
1643 ... vs. ... Appellants
The United States

and

Marshall Field & Company
1645 ... vs. ... Appellants
John W. Clark Collector &c.

Mr. W. Wickham Smith, of counsel for the appellants in No. 1642, Mr. S. G. Clark, of counsel for the appellants in No. 1643, and Mr. H. W. Bliss of counsel for the appellants in No. 1645, submitted to the consideration

of the Court in Term to advance these cases, and on motion of Mr. Solicitor General Hall the motions were postponed for one week.

Ex parte: In the matter of John L. Napier. Petitioner.

Ex parte: In the matter of George W. Dupre. Petitioner.

And

Ex parte: In the matter of George W. Dupre. Petitioner.

Mr. Francis Taylor, of counsel for the petitioner submitted to the consideration of the Court motions for leave to file petitions for writs of habeas corpus herein.

Linda E. Quinnons et al. vs. The Elyton Land Company. Plffs in Error.

1325.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Alexander P. London in support of the same, and Mr. E. A. Wells Jr. in opposition thereto.

Mr. A. T. Herbert, of counsel for the plaintiffs in error, submitted to the consideration

of the Court a motion to amend the rule of error

The Chicago & Grand Trunk Railway Company. vs. Pff. in Error. Thomas Wellman. 22. Mr. William A Day, of counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause

271 Pat. Callan. Pff. in Error. vs John W. Brownford, Treasurer &c
594 W. H. Jones " " " The Commonwealth of Virginia.
595 J. H. Gregory et al. " " " " J. W. Brownford, Treasurer &c
596 J. J. Wallace et al. " " " " " " " "
597 Jos. Lawson et al " " " " " " " "
598 L. B. Litchford et al " " " " " " " "
1038 J. J. Pollard, Pff in Error vs. E. S. Wiseman, Treasurer &c

The motion to advance these cases was submitted to the consideration of the Court by Mr. W. A. McKenney, and Mr. W. Wirt in support of the same, and Mr. R. Taylor Scott in opposition thereto.

The motion to dismiss this case was submitted to the consideration of the Court on the

record in No. 1271 and printed arguments by Mr. R. Taylor Scott in support of the same and Mr. W. W. Clarke, in opposition thereto.

Peter Ulrichs et al. vs Plff. in Error Henry Dobree Harrison — On motion of Mr. E. D. MacKinney, on behalf of counsel for the defendant in error, leave is hereby granted the Clerk to issue a mandate in this cause.

1153.

Thomas J. Phelps, Assignee &c. vs Appellant. George Elliott & George L. Elliott, Executors &c. — The motion to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and a printed argument by Mr. John Selden and Mr. W. G. Choate in support of the same.

1155.

The Northwestern Land Co. vs Plff. in Error R. G. Brock et al. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. R.

Henderson and Mr. G. B. Daniels of counsel for the plaintiff in error, and Mr. Charles A. Clark of counsel for the defendants in error.

569. Josiah Bedow et al. vs. Pltfs. in Error. William R. Davis et al. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Edward McGrady, Jr. in support of the same, and Mr. Wells Dean, in opposition thereto.

554. The Steamship "Brookville" &c. vs. Appellant. The New York Lake Erie & Western Railroad Co. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Brainerd A. Wilcox, in support of the same, and Mr. Edward L. Owen and Mr. G. A. Sturges, in opposition thereto.

The Northern Pacific Rail road Company. ... Plff in Error
1560. vs.
David O'Brien. ...

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. John Paul Jones in support of the same, and Mr. A H. Garland and Mr. H. J. May in opposition thereto.

George L. Carey et al ... Appellants
1316. vs.
Catherine R. Poland. ...

The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. C. B. Stillman, in support of the same.

Moritz Bienn, Administrator of Johann B. Hoff, deceased. ... Appellant
17 vs.
Garrard and Co. ...

Appeal from the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss

the cause has been filed. Therefore in pursuance of said stipulation, It is now hereordered, adjudged and decreed by the Court that the appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

The McCormick Harvesting Machine Company. Appellant. vs. The Minneapolis Harvester Works.

1372. Appeal from the Circuit Court of the United States for the District of Minnesota.

It appearing to the Court that a stipulation to dismiss the cause has been filed. Therefore, in pursuance of said stipulation, It is now hereordered, adjudged and decreed by the Court that the appeal be, and the same is hereby dismissed, each party to pay its own costs in this Court.

per Mr. Chief Justice Fuller.

The United States Trust Company of New York and The Omaha and St. Louis Railway Company.		Appeal from the Circuit Court of the United States for the Southern District of Iowa.
1405.	vs. Appellants.	
The Wabash Western Railway Company		

It appearing to the Court that an authority of counsel for the appellants to dismiss this cause has been filed. Therefore in pursuance of said authority, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

For the Chief Justice Fuller.

John Henry Trustee of the National Express and Transportation Company.		In Error to the Circuit Court of the United States for the Western District of North Carolina.
1452.	vs. Pff. in Error.	
Thomas J. Summers.		

It appearing to the Court that an authority of counsel for the plaintiff in error to dismiss this cause has been filed. Therefore in pursuance of

said authority. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

J. J. Etheridge
186. vs. Pff. in Error.
Sperry, Watt & Clarke

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. W. Bliss and Mr. E. W. Kehrwan, of counsel for the plaintiff in error, and Mr Henry S. Wilcox of counsel for the defendants in error.

The United States Reserve Fund
Life Association.
184. vs. Pff. in Error.
Sarah B. Hanlon.

The argument of this cause was commenced by Mr Ayres Clapp of counsel for the plaintiff in error, and continued by Mr. Solomon Lucas and Mr. C. B. Perkins of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 3d, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
} Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this today by Mr. William M. Evarts it is ordered that John G. Sawyer, Esquire, of Albion, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

half by Mr. William E. Burke it is ordered that Richard C. Watts, Esquire, of Laurens State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. A. L. Williams it is ordered that James C. Carroll, Esquire, of Quincy, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. J. A. Mitchell it is ordered that William E. Burkhimer, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. G. C. Catchings it is ordered that C. C. Anderson, Esquire, of Kosciusko, State of Mississippi, and G. W. Dargan, Esquire, of Darlington, State of South Carolina, be admitted to practice as attorneys and counsellors of this Courts

and they were sworn accordingly.

430 Robert Schell et al. Executors &c. Pltfs in Error vs. Lucien Blanchard et al.

Nos 431 & 432 A. Parsons et al. Executors &c. Pltfs in Error vs. Gunter Westmoreland et al

433 Robert Schell et al Executors &c. Pltfs in Error vs Samuel Dobson &c. et al.

434 " " " " " " " " " " " Geo. L. Wood, Admr. &c.

435 " " " " " " " " " " " G. C. Lothrop, survivor &c.

436 Stream Barney Exr. &c. &c. " " " M. A. Shurtleff et al.

437 " " " " " " " " " " " B. L. Curtis, Executor &c.

438 Robert Schell et al. Executors &c " " " W. A. Sorchan et al.

481 " " " " " " " " " " " Adrian Seelin &c.

486 " " " " " " " " " " " Alexander Pickard et al.

487 " " " " " " " " " " " R. J. Morrison, Pub. Ad. &c.

493 " " " " " " " " " " " A. Woodbridge &c.

494 " " " " " " " " " " " Edward Bedard &c.

On motion of Mr. Frederick D. McShane, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandates in these cases.

430 W. A. Sorchan et al. Pltfs in Error vs Robert Schell, et al. Executors &c.

432 A. Seelin, survivor &c. " " " " " " " " "

493 A. Woodbridge " " " " " " " " " "

495 E. Bedard. " " " " " " " " " "

177 Victor Faudel et al Plffs in Error vs Oliver Schutt et al Deft's in Err.

On motion of Mr. Solicitor General Taft, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandates in these cases.

Hiram Barney, late Collector etc. vs. E. A. Oelrichs et al. Pltf. in Error. On motion of Mr. Solicitor General Taft, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

148. The United States vs. The Central Pacific Railroad Company. Appellant. Appeal from the Circuit Court of the United States for the District of California

This cause having been called to the attention of the Court by Mr Solicitor General Taft, of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this ap-

peal be, and the same is hereby, dismissed; and that the cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California.

per Mr. Chief Justice Fuller.

Andrew J. Davis. Mr. S. W. Stockslager in charge of counsel for the
219. vs. Appellant. appellant suggested the
Henry Webbold. death of Andrew J. Davis,
the appellant herein, and moved the Court to make
James A. Talbott, Special Administrator of the said
Andrew J. Davis, the party appellant in the cause.
Whereupon it is now here ordered by the Court
that the said James A. Talbott, Special Administrator of Andrew J. Davis, deceased, be, and he is
hereby made the party appellant herein.

James A. Talbott, Special Administrator etc. This cause was
217. vs. Appellant. submitted to the
Henry Webbold. consideration of
the Court on the
record and print-
ed arguments by Mr. J. W. Foxe, of counsel for
the appellant, and Mr. S. W. Stockslager, of coun-

sel for the appellee.

E.C. Cross et al. vs. L.H. Allen. 334 Appellants.

Mr. John H. Mitchell, of counsel for the appellants suggested the death of L.H. Allen the appellee in this cause, and moved the Court for an order under the 15th rule to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said L.H. Allen, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellants shall be entitled to open the record, and on hearing have the decree reversed, if it be erroneous: Provided, however, that a copy of this order shall be printed in some newspaper of general circulation within the State of Oregon at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

E.C. Cross et al. vs. L.H. Allen. 334 Appellants.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

The Mutual Reserve Fund Life Association,
184 vs. Pff. in Error.
Sarah D. Hamlin.

The argument of this cause was concluded by Mr. Alfred Taylor, of counsel for the plaintiff in error.

Albert C. Briggs, Receiver &c.
185 vs. Appellant.
E. G. Spaulding et al.

On motion of Mr. D. G. Day, of counsel, It is ordered by the Court that counsel on each side be allowed one hour additional time for argument of this cause.

Albert C. Briggs, Receiver &c.
186. vs. Appellant.
E. G. Spaulding et al.

The argument of this cause was commenced by Mr. Timothy Wilcox, of counsel for the appellant, and continued by Mr. E. C. Sprague, of counsel for the appellee Spaulding, and Mr. B. F. Williams of counsel for the appellee Johnson.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, March 4th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.

Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr Assistant Attorney General Parker, it is ordered that Martin A. Knapp, Esquire, of Syracuse, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

185. Albert E. Briggs. Receiver &c vs. B. H. Spaulding et al. Appellant.

The argument of this cause was continued by Mr. B. H. Williams of counsel for the appellee Johnson, Mr. D. T. Ray, of counsel for the appellee Cushing, and Mr. D. H. Lockwood, of counsel for the appellee, Code, Administrators and concluded by Mr. W. Hallett Phillips of counsel for the appellant.

1388. The Aetna Life Insurance Co. of Hartford, Conn. vs. Oda Ward (formerly Oda Davy). Pff. in Error.

The argument of this cause was commenced by Mr. Theron G. Strong, of counsel for the plaintiff in error, and continued by Mr. John Lunn and Mr. Courlandt Parker, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March 5th. 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer
Henry B. Brown.
Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Smiley N. Chambers, Esquire of Indiana, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Augustus A. Garland it is ordered that Robert L. Wensley, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1588. Thomas J. Phelps, Assignee &c. vs. George Elliott and George L. Elliott, Executors &c. Appellants. Mr. Edward Lander, of counsel for the appellants, by leave of the Court, submitted to the consideration of the Court a motion in regard to costs in this case.

1588. The Atna Life Insurance Co. of Hartford, Conn. vs. Ada Ward (formerly Ada Davy). Plff. in Error. The argument of this cause was continued by Mr. Bernard Carter, of counsel for the defendant in error, and concluded by Mr Wayne MacVeagh, of counsel for the plaintiff in error.

1589. The United States ex rel: J. A. Boynton vs. James E. Bruce Secretary of State. Plff. in Error. The argument of this cause was commun-

ced by Mr. George Pickens Curtis of counsel for the plaintiff in error and continued by Mr. Assistant Attorney General Maury, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, March 6th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
Joseph P. Bradley,
John M. Harlan,
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar,
David J. Brewer,
Henry B. Brown,
Associate Justices.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The County Court of Scotland County & the Judges thereof, Plff. in Error
vs.
The United States ex rel: William Hill.

Mr. D. D. Hughes, of counsel for the defendant in error suggested the death of William Hill, the defendant in error herein, and moved the Court to make James B. Dodge, Mary A. Findley, and Evelyn L. Hill,

Executors of the said William Hill. The parties defendants in error in this cause. Whereupon, it is now here ordered by the Court that the said James B. Dodge, Mary H. Findlay and Evelyn L. Hill, Executors of William Hill deceased, be, and they are hereby, made the parties defendants in error in this cause.

1119. The United States ex rel: S. G. Boyntow. vs. Off. in Error. James G. Blaine, Secretary of State.

The argument of this cause was continued by Mr. Assistant Attorney General Maury, of counsel for the defendant in error, and concluded by Mr. Augustus H. Garland, of counsel for the plaintiff in error.

1318. The United States, Appellant vs. The Dallas Military Road Co. et al.
1319. " " " " " The Oregon Central Military Road Co. et al.
1348. " " " " " The Willamette Valley & Cascade Mountain Wagon Road Co. et al.
1444. " " " " " James M. Kelly.
1445. " " " " " David F. Logan.
1446. " " " " " W. G. Rogers, Admr. &c.
1447. " " " " " William Grant.

1148 The United States Appellant vs William Boyd

The argument of these cases was commenced by Mr. Assistant Attorney General Parker, of counsel for the appellant, and continued by Mr. James K. Kelly, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.

Joseph P. Bradley.

John M. Harlan.

Horace Gray.

Samuel Blatchford

Lucius Q. C. Lamar.

David J. Brewer.

Henry B. Brown.

Associate Justices

John M. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. W. Morrow it is ordered that Joseph C. Campbell, Esquire, of San Francisco co. State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

ray by Mr. S. L. Williams it is ordered that John H. Ives, David Overmyer and P.B. Welch, Esquires, of Topeka State of Kansas be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Guaranty Trust and Safe Deposit Company. vs. Appellant.
155. The Green Cove Springs and Melrose Railroad Company, The Western Railway Company, The Green Cove Spring and Midland Railroad Company et al.

Appeal from the Circuit Court of the United States for the Northern District of Florida

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had

thereon in conformity with the opinion of this Court.

per Mr. Justice Brown.

J. C. Stout. — Due death of John J. Mas-
1072. vs. Pff. in Error. — tin the defendant in er-
John J. Mastin — ror having been
suggested, and a stipu-
lation that Julia Mastin Executrix and sole devi-
see of the said John J. Mastin may be made
the party defendant in error having been filed.
It is now here ordered by the Court that the
said Julia Mastin Executrix and sole devisee
of John J. Mastin, deceased be, and she is hereby,
made the party defendant in error in this cause.

per Mr. Justice Brewer.

J. C. Stout. — In Error to the Cir-
1072. vs. Pff. in Error. — cuit Court of the
Julia Mastin, Executrix and — United States for
sole devisee of John J. Mas- — the District of
tin, deceased. — Kansas.

This cause came on to be heard on the Tran-
script of the record from the Circuit Court of the

United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Dissenting:
Mr. Justice Brown.

853. James Wallace Peake, Mary J. Mitchell, Executrix of Richard D. Mitchell, deceased, & James Jackson, Appellants, vs. The City of New Orleans. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Harlan.

Mr. Chief Justice Fuller.

Mr. Justice Lamar.

(Mr. Justice Brown did not hear the argument in this cause and took no part in its decision).

James Wallace Peake & Frederick Wing, Intervenor & James Jackson, Intervenor.

vs.

The City of New Orleans, Joseph W. Hardy, Comptroller et al.

Appellants

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Brewer.

(over)

Dissenting:

Mr. Justice Harlan.

Mr. Chief Justice Fuller.

Mr. Justice Lamar.

(Mr. Justice Brown did not hear the argument in this cause and took no part in the decision)

James Wallace Burke. In Error to the Circuit Court
vs. of the United States for the East-
City of New Orleans. ern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Harlan.

Mr. Chief Justice Fuller.

Mr. Justice Lamar.

(Mr. Justice Brewer did not hear the argument in this cause and took no part in its decision).

The United States ex rel. James Wallace Cooke	In Error to the Circuit Court
vs.	of the United
Plff. in Error	States for the
The City of New Orleans, Joseph H. Handy, Comptroller, & The Board of Liquidation of the City Debt of New Orleans	Eastern Dis trict of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Dissenting.

Mr. Justice Harlan.

Mr. Chief Justice Fuller

Mr. Justice Lamar.

(Mr. Justice Brown did not hear the argu-

that in this cause said Clerk no part in its decision).

George K. Johnson.		Appeal from
149.	v. Appellant.	the Circuit
David W. Powers and Oscar Craig,		Court of the
Executors of John Craig, deceased,		United States
David W. Powers, individually, and		for the North-
Helen Maria Powers, sole heiress		ern District
and devisee under the last will and		of New York.
testament of John Craig, deceased.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Dissenting:

Mr. Justice Brown,

William Caldwell. Plff. in Error.
vs.
The State of Texas.

On consideration of the petition for a rehearing in this cause, It is now here ordered by the Court that the judgment entered herein on the 12th day of January, 1891, be & the same is hereby vacated and set aside & that notice of the motion to dismiss herein be given returnable on the second Monday of April next, when said motion will be considered by the Court upon such additional printed briefs as counsel may deem it advisable to present. Oral argument is not allowed on motions to dismiss and no exception will be made in this case in that regard.

per Mr. Chief Justice Fuller.

568. Josiah Bedow et al. Plffs. in Error.
vs.
William R. Davis et al.

On consideration of the motion to dismiss herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied, without prejudice.

George L. Carey et al. On consideration of
1316 v. Appellants. the motion to dismiss
Catherine R. Roland. or affirm herein and
of the argument of
counsel thereupon had as well in support of, as
against the same, It is now here ordered by the
Court that said motions be, and the same are
hereby, denied, without prejudice.
per Mr. Chief Justice Fuller.

Linda E. Simmons et al. On consideration
325 v. Pffs. in Error. of the motion for
The Lytton Land Company. leave to amend
the writ of error
herein It is now here ordered by the Court that
leave be, and the same is hereby, granted to the
plaintiffs in error to amend said writ of error
within two weeks, pursuant to section 1005 of the
Revised Statutes.

It is further ordered that the consideration
of the motions to dismiss or affirm be retained
until the expiration of the time given
per Mr. Chief Justice Fuller.

The Steamship "Breakwater" etc.
1574 vs. Appellants.
The New York, Lake Erie & Western Railroad Company.

On consideration of the motions to dismiss or affirm herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motions be and the same are hereby denied.

per Mr. Chief Justice Fuller.

The Northern Pacific Railroad Company.
1560 vs. Pff. in Err.
David O'Brien.

It is ordered by the Court that the further consideration of the motion to dismiss herein be, & the same is hereby postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

Charles Commissioners
1617 vs. Appellants.
Frank Hitchcock, U. S. Marshal, etc.

On consideration of the motion to advance in this cause, It is now here ordered by the Court

that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Chicago & Grand Trunk Railroad Company, Plff. in Error. vs. Thomas Wellman. (622)

On consideration of the motion to advance in this cause, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of John L. Rapier, Petitioner.

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein. It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of John L. Napier, Petitioner } On petition for a writ of habeas corpus.

On consideration of the petition of John L. Napier.

It is now here ordered by the Court that cause be shown by C. W. Walker, Marshal of the United States for the Southern District of Ohio, before the Court at the City of Washington, on Monday the 30th day of April A.D. 1891, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

Ex parte, In the matter of George W. Dupre, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of George W. Dupre, Petitioner. } On petition for a writ of habeas corpus.

On consideration of the petition of George W. Dupre.

It is now here ordered by the Court that cause be shown by U. B. Donnally, Marshal of the United States for the Eastern District of Louisiana, before the Court at the City of Washington, on Monday the 20th day of April, A. D. 1891, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of George W. Dupre, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein. It is now here ordered by the Court that said motion be, and the same is hereby granted.

per Mr. Chief Justice Fuller.

Monday. March 9th. 1891. Continued

Ex parte: In the matter of } On petition for a
George W. Dupre. } writ of Habeas corpus.
Petitioner. }

On consideration of the petition of George W. Dupre,
It is now here ordered by the Court that cause
be shown by J. B. Donally, Marshal of the United
States for the Eastern District of Louisiana, before
this Court at the City of Washington, on Monday,
the 20th day of April A.D. 1891, at 12 o'clock noon
of that day, or as soon thereafter as counsel can be
heard, why a writ of Habeas corpus should not
be granted as prayed in said petition.
per Mr. Chief Justice Fuller.

Pat Callan. } In Error to the
271. vs. Pff. in Error. } Supreme Court of
John W. Bransford, Treasurer } Appeals of the
of the City of Lynchburg, Virginia. } State of Virginia.

This cause came on to be heard on the tran-
script of the record from the Supreme Court of the
State of Virginia, and on a motion to dismiss
which was argued by counsel. On consideration
whereof, It is now here ordered and adjudged by

this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

James H. Gregory et al: ... In Error to the
1892. vs. Plffs. in Error Supreme Court
John W. Crawford, Treasurer of Appeals of the
of the City of Lynchburg, and State of Virginia
Wm. J. Ray, Sergeant of said City.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Joseph Lawson, Jr., and
Boyd et al.
vs. Writs in Error.
John W. Bransford, Treasurer
of the City of Lynchburg, and
W. J. Day, Sergeant of said City.

In Error to the
Supreme Court
of Appeals of the
State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

A. B. Ledford, surviving partner
of himself and Thomas V. Strange,
late partners as Strange & Ledford, et al.
vs. Writs in Error.
W. J. Day, Sergeant of the City
of Lynchburg.

In Error to
the Supreme
Court of Appeals
of the State
of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

1594. William A. Jones ... Plff. in Error ... vs. ... The Commonwealth of Virginia.

1596. J. J. Wallace et al ... Plffs. in Error ... vs. ... John W. Crawford, Treasurer &c. ... Def

1688. J. J. Dillard ... Plff. in Error ... vs. ... B. F. Woodson, Treasurer &c.

On consideration of the motions to advance and to dismiss in these cases. It is now here ordered by the Court that said motions be, and the same are hereby, denied, without prejudice.

per Mr. Chief Justice Fuller

Pedro Delgado.
148. vs. Appellant.
Francisco Chavez, Sheriff etc.

Mr. William M. Springer, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

A. B. Seeberger, Collector etc.
1472. vs. Plff. in Error.
John B. Thornton et al.

A. B. Seeberger, Collector etc.
1475. vs. Plff. in Error.
H. B. Owsley et al.

On motion of Mr Solicitor General Clark, of counsel for the plaintiff in error and appellant, leave is hereby granted the Clerk to issue the mandates in these cases.

The United States
vs.
148. Appellant.
The Central Pacific R. R. Co.

The United States.
Orig. vs. Complainant.
The State of Texas

On motion of Mr. Solicitor General Clark, of counsel for the complainant, leave is hereby granted to file a supplemental answer.

Daniel Wagner, Collector &c. On motion of the
880. vs. Plff. in Error. Solicitor General
Edward Buckaway et al Dft. & counsel
&c for the plaintiffs
A. B. Seeberger, Collector &c in error, It is
1141. vs. Plff. in Error. ordered by the
John V. Darwell &c Co Court that these
cases be, and
they are hereby, re-assigned for argument on Mon
day, March 30th.

In parte: In the matter of On motion of the Sol
Jefferson Wilson icitor General Dft, it
11. Original. Petitioner is ordered that the
return day of the rule
to show cause issued herein be postponed for two
weeks from this date.

Robert M. Boyd et al. Mr. Solicitor General
1042 vs Appellants. Dft counselled in open
The United States et al. Court to the assignment
Charles Merrybach et al. ment of cases No 1042,
1043 vs. Appellants. and 1043, and filed
The United States and submitted to
&c the consideration

Marshall Bond & Co
vs Appellants
John M. Clark, Collector &c.

of the Court a Stat-
ement in opposition
to the motion to a-
ffirm case No. 1046.

The Iron Silver Mining Co.
vs Def. in Error.
The Mike & Starr Gold and
Silver Mining Co.
Same, Pff. in Error, vs. Same.
and
John L. Sullivan et al.
vs Def. in Error
The Iron Silver Mining Co.

On motion of Mr.
James Mc Kee,
of counsel for the
Iron Silver Min-
ing Company, it
is ordered by the
Court that these
cases be, and they
are hereby assign-
ed to be argued
on the second Monday of the next term after
the cases heretofore assigned for that day.

Thomas L. Phelps, Assignee &c.
vs Appellant
George Elliott and George L.
Elliott, Executors, &c.

On motion of
Mr. Chas. Del Mar
of counsel for
the appellee it
is hereby ord-
ered that he file a printed brief herein in opposit-
ion to the motion of counsel for the appellant

in relation to costs herein on or before Monday next.

1581. Joseph Wood. vs. Appellant. Augustus A. Bruch, Appellee. } The motion to dismiss or affirm or to advance these cases were submitted to the consideration of the Court by Mr. C. D. Baker in support of the same and by Mr. Roger M. Sherman, in opposition thereto in case No. 1632.

Ex parte: In the matter of Shibuya Jugiro.

1632. Appellant.

1585. The Watts A. Wood Mowing & Reaping Machine Co. vs. Smith A. Skinner. Plff. in Error. } The motion to dismiss or affirm in this case was submitted to the consideration of the Court on the record and printed arguments by Mr. Frank Lansing in support of the same and Mr. Cook Brown in opposition thereto

The Pacific Railroad Company
vs. } No. 10 Error.
Joseph E. Brazee et al.

The motion to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. H. H. Sweetser in behalf of the same and Mr. W. W. Baker in opposition thereto.

The United States, Appl. to, vs. The Dallas Military Road Co. et al.
247. " " " " " The Oregon Central Military Road Co. et al.
248. " " " " " The Willamette Valley and Cascade Mountain Wagon Road Co. et al.
1144. " " " " " James K. Kelly.
1145. " " " " " Daniel F. Cooper.
1146. " " " " " W. C. Rogers, Admr. &c.
1147. " " " " " William Grant.
1148. " " " " " William Floyd.

The argument of these cases was continued by Mr. Rufus Waller, Mr. John C. Carson and Mr. C. B. S. Wood of counsel for the appellees and concluded by Mr. Assistant Attorney Gen'l. Parker, of counsel for the appellant.

Ex parte. In the matter of Garnett, Stubbs & Co. et al. Petitioners.

10 Original.

The argument of this cause was commenced by Mr. Samuel B. Adams, of counsel for the petitioners.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Tuesday, March 12th, 1872.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.

Stephen J. Field.
Joseph P. Bradley.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar
David J. Brewer
Henry B. Brown

John W. Worthington, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. W. Morrow it is ordered that Lyman D. Mowry, Esquire of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

half by Mr. E. W. Pickle it is ordered that L. B. Mc Farland, Esquire, of Memphis and W. E. Mc. Thomas, Esquire of Chattanooga, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Mc. Keenan it is ordered that David E. Butcher, Esquire, of Brooklyn, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Louisville and Nashville Railroad Company
291 vs. Appellant.
The Kentucky Central Railroad Company and George S. Bliss & Isaac E. Yates, Trustees.

Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause having been called to the attention of the Court by Mr. James Lowndes, on behalf of counsel, and a stipulation to dismiss this cause having been filed, Therefore in pursuance of said

stipulation. It is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Barnett, Stubbs & Co. et al. Petitioners. The argument of this cause was continued by Mr. Samuel C. Adams of counsel for the petitioners, and concluded by Mr. A. G. Brown of counsel for the respondent.

The United-States Land Co. vs. Appellant. 267
The Maxwell Land Grant Co.

This cause was argued by Mr. Alexander Graves, of counsel for the appellant, and Mr. Frank Springer of counsel for the appellee.

The United States vs. Appellant 38
The Missouri, Kansas & Texas Railway Company et al.

The argument of this cause was commenced by Mr. Assistant Attorney General Maury, of counsel for the appellant.

Proclamation being made the Court is adjourned

Wednesday, March 11th, 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer
Henry B. Brown
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Chicago & Northern Pacific Railway Company. vs. Albert U. Gude. No 206

On motion of Mr. John F. Morgan of counsel for Albert U. Gude, leave is hereby granted the Clerk to issue the mandate in this cause.

The United States
133. vs. Appellant.
The Missouri, Kansas and
Texas Railway Co. et. al.

The argument of this
cause was continu
ued by Mr. Assistant
Attorney General
Maury, of counsel
for the appellants and Mr. A. B. Browne, Mr. C. C.
Williams and Mr. Simon Sterne, of counsel for
the appellees, and concluded by Mr. Williamson
rence, of counsel for the appellant.

Proclamation being made the Court is adjourned
until to-morrow at Twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius L. C. Lamar
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

220. Andrew J. Davis ... Mr. J. H. McGowan of counsel for the defendant in error and appellee, called the attention of the Court to a suggestion of the death of the plaintiff
v. Pltff. in Error.
The Board of County Commissioners of Silver Bow County.

and

261. Andrew J. Davis ...
v. Appellant.
The Board of County Commissioners of Silver Bow County.

tiff in error and appellant and it does now that James A. Talbott, Special Administrator of the said Andrew J. Davis be made the party plaintiff in error and appellant. Whereupon, it is now here ordered by the Court that the said James A. Talbott, Special Administrator of Andrew J. Davis, deceased, &c. and he is hereby, made the party plaintiff in error and appellant in these cases.

James A. Talbott, Special Administrator &c.
vs. Plff. in Error.
The Board of County Commissioners of Silver Bow County.

&

James A. Talbott, Special Administrator &c.
vs. Appellant.
The Board of County Commissioners of Silver Bow County.

and appellee

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. J. W. Forbes, of counsel for the plaintiff in error and appellant, and Mr. J. H. McGowan of counsel for the defendant in error and appellee

1117. The United States, Appellant, vs. Henry O. Emery.
1151. " " " " " " " " S. F. Poumier.

1152 The United States, Appellant vs. B. J. McDermott.
1153 B. J. McDermott, Appellant vs. The United States.
1161 The United States, Appellants vs. Robert Barton.
1244 " " " " " A. J. Van Duzee.

The argument of these cases was commenced by Mr. John C. Chaney, of counsel for the United States, and continued by Mr. B. J. McDermott and Mr. C. B. Hallam of counsel for McDermott, Mr. George A. King, of counsel for Ewing, and Mr. C. C. Lancaster of counsel for Poirier and Van Duzee: & Mr. S. R. McMahon of counsel for Barker, submitted to the consideration of the Court a printed argument.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock

Friday, March 13th, 1891.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.

Joseph P. Bradley.

John M. Harlan

Horace Gray. Associate

Samuel Blatchford Justices

Lucius Q. C. Lamar

David J. Brewer.

Henry B. Brown.

John W. Wright, Esquire, Marshal.

James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

147. The United States Appellant vs Henry C. Bunce.

151. " " " " " S. G. Fournier.

152. " " " " " E. J. Mc. Dermott.

603. E. J. Mc Dermott, " " The United States.

164. The United States " " Robert Barber.

[illegible] " " " " " D. J. Van Duzee.

The argument of these cases was continued

by Mr. B. B. Lancaster of counsel for Brewer and Van Duzee, and concluded by Mr. John B. Clancy, of counsel for the United States.

The United States. This cause was argued
1178. vs. Plaintiff. by Mr. Solicitor General
Clark Brewer et al. Taft, of counsel for the plaintiff and submitted on a printed argument by Mr. Julius C. Taylor of counsel for the defendants.

The British Queen Mining The argument of
Company of Colorado. this cause was
169. vs. Pff. in Error. commenced by Mr.
The Baker Silver Mining Co. James B. Reilly, of counsel for the plaintiff in error. The Court declined to hear argument on the part of the defendant in error.

The Pacific Express Com-
pany. ... In Error to the Su-
419. vs. Pff. in Error. ... preme Court of the
C. P. Pickard Comptroller State of Tennessee.
of the State of Tennessee, and
The State of Tennessee.

The cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and on the motion of Mr. L. C. Mc. Garland, of counsel for the plaintiff in error and consent of Mr. George W. Pickle, of counsel for the defendants in error confessing error, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

J. Shelton, Sheriff etc. et al. vs. Appellants.
Thomas B. Platt, President of the United States Express Co.

The argument of this cause was commenced by Mr. G. W. Pickle, of counsel for the appellants, and continued by Mr. L. C. Mac Garland, of counsel for the appellee, and Mr. W. P. Thomas of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, March 16th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this today by Mr. Solicitor General Clark it is ordered that Richard L. Newcomb and John J. Joyce, Esquires of New York City, be admitted to practice as attorneys and counsellors of the Court and they were sworn accordingly.

On motion first made to the Court in this

Ordered by Mr. George W. Van Slyck it is ordered that Frank J. Dupignac Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

W. C. Howard, J. P. Stratton, and J. Rauch. vs. Pitts. in Error. The Hillsboro & Aurora Manufacturing Company. In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest, with paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas

per Mr. Justice Lamar.

	Arthur Manchester		In Error to the Superior
518.	vs.	Pet. in Error.	Court of the State of
	The Commonwealth of		Massachusetts.
	Massachusetts.		

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this case be and the same is hereby affirmed with costs per Mr. Justice Blatchford.

	The St. Louis, Iron Mountain		In Error to the
	& Southern Railway Company.		Circuit Court of
1169.	vs.	Pet. in Error.	the United States
	The Commercial Union In-		for the Eastern Dis-
	surance Company et al.		trict of Arkansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and ad-

judged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

Mr. Justice Bradley not having been a member of the Court when this case was argued took no part in its decision).

E. G. Bayne, Mary A. Fuller, Executrix of J. M. Fuller, deceased, and D. J. Melvin.
vs.
Peffs. in Error.
R. B. Wiggins and Jane M. Wiggins his wife, in right of the said Jane M. Wiggins.

In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and ad-

judged by the Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Gray.

The Northwestern Coal Company. ... In Error to the Circuit Court of the United
1159. v. Pff. in Error. ... States for the Northern
A. L. Brock & C. G. McKinzie. District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Iowa

per Mr. Justice Gray.

Robert W. Boyd et al.
542. vs. Appellants
The United States et al.

On consideration
of the motions to
advance these cases
It is now here or-
dered by the Court
that said motions
be and they are
hereby granted
and the cases as-
signed for argu-
ment on the second

Charles Sternbach et al.
548. vs. Appellants
The United States
and
Marshall Dudley Co
546. vs. Appellants.
John W. Clark Collector etc.

Monday of the next term, after the cases hereto-
fore assigned for that day; but leave is granted
to submit the cases upon printed briefs to be
filed on or before the first Monday of April
next, if counsel prefer to take that course
per Mr. Chief Justice Fuller.

Joseph Wood.
1051. vs. Appellant.
Augustus A. Brush.

On consideration of the
motion to advance this
cause, It is now here
ordered by the Court
that said motion be, and the same is hereby,
granted, and the cause assigned for argument
on the first Monday of April next after the cases

heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Shibuya Suguro. Appellant. 1688.

On consideration of the motion to advance this cause, It is now here ordered by the Court that a new citation be issued in this cause returnable on the first Monday of April next and that the motion to advance be, and the same is hereby, granted, and the cause assigned for argument on the return day of the citation, after cases heretofore assigned for that day.

Pedro Delgado. Appellant. 1648.

vs

Francisco Chaves, Sheriff &c.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of April next.

per Mr. Chief Justice Fuller.

219. The British Queen Mining Company, of Colorado. vs. The Baker Silver Mining Company. Pff. in Error. In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

220. James A. Talbot, Special Administrator of Andrew J. Davis, deceased. vs. The Board of County Commissioners of Silver Bow County, Montana Territory. Pff. in Error. In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court

of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

Thomas Knight. ... Mr. W. W. Morrow, in
1448. vs. Pltf in Error ... behalf of counsel for the
The United Land Asso- ... plaintiff in error, sub-
ciation et al. ... mitted to the consid-
eration of the Court,

a motion to advance this cause.

Florence S. Fowler, Admr. etc. ... Mr. Rodney Mason,
44. vs. ... Appellant ... of counsel for Fred-
Robert Hamill. ... erick H. Dubois,
submitted to the

consideration of the Court a motion for leave to intervene herein, and leave was granted Mr. G. J. Kupiguac of counsel for appellant, to file papers in opposition thereto on or before Monday next.

Ex parte. In the matter of Joshua R. Sugate, and Jacob Wark. Petitioners.

Mr. de Lagnel Brown, of counsel for the petitioners submitted to the consideration of the Court a petition for the allowance of a writ of error, which was opposed by Mr. E. W. VanStyck.

Quock Ding. vs. The United States. 638. Appellant.

On motion of Mr. Solicitor General Bell of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby re-assigned for argument on the first Monday of April next after the cases heretofore assigned for that day, and that cases Nos. 636, 637, 639, 640, 642, 643, 644 and 648 abide the decision in this case.

Wan Shing. vs. The United States. 1114. Appellant.

On motion of Mr. Solicitor General Bell of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the first Monday of April next, after the cases heretofore assigned.

for that day, and that case No 1418 & 1419 abide the decision in this case.

Wong Kim Ark. Appeal from the Circuit Court
353 vs. Appellant of the United States for the
The United States. Northern District of California.

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by the Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Lewis Wo. Appeal from the Circuit Court
352 vs Appellant of the United States for the Northern District of California.
The United States.

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of the 10th. rule of this Court now here ordered,

adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Lue Wing. Appeal from the Circuit Court
608. vs. Appellant. of the United States for the North-
The United States. ern District of California.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller.

Gun Lin Hau. Appeal from the Circuit Court
609. vs. Appellant. of the United States for the
The United States. Northern District of California

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is thereupon, in pursuance of

the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr Chief Justice Fuller.

Wan Hai Yung. Appeal from the Circuit Court
vs. Appellant of the United States for the
The United States. Northern District of California.

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record it is thereupon in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Jow Dai Quong. Appeal from the Circuit Court
vs Appellant of the United States for the
The United States. Northern District of California.

This cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the tran-

cript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Waite.

Knock Ah Sup
606. vs. Appellant.
The United States.

Appeal from the Circuit Court of the United States for the Northern District of California

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

Leong Choy.
607. vs. Appellant.
The United States

Appeal from the Circuit Court of the United States for the Northern District of California.

This cause being called for hearing in its re-

guiar order, and it appearing to the Court that the parties have failed to print the transcripts of the record. It is Thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by the Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Wong Sing &
608 vs. Appellant.
The United States.

Appeal from the Circuit Court of the United States for the Northern District of California.

The cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is Thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr Chief Justice Fuller.

Hong Yen Ling.
609 vs. Appellant.
The United States.

Appeal from the Circuit Court of the United States for the Northern District of California.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the Transcript of the record. It is thereupon in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed

per Mr. Chief Justice Fuller.

Wong Ah Yick vs. The United States. — Appeal from the Circuit Court of the United States for the Northern District of California

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Day Kum Dung
611 vs. Appellant.
The United States.

Appeal from the Circuit Court of the United States for the Northern District of California.

The cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that the appeal be and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Mock Lee.
612 vs Appellant.
The United States.

Appeal from the Circuit Court of the United States for the Northern District of California.

The cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Ung Sung. Appeal from the Circuit Court
213 vs. Appellant. of the United States for the
The United States Northern District of California

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Butler.

Ung Chung. Appeal from the Circuit Court
214 vs. Appellant. of the United States for the
The United States Northern District of California

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Butler.

Wong Gun. . Appeal from the Circuit Court.
615 vs. Appellant. of the United States for the
The United States Northern District of California

This cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by the Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Kim Quan Hung. Appeal from the Circuit Court
616 vs. Appellant of the United States for the
The United States. Northern District of California.

This cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by the Court that the appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

Ling Sun
617. vs. Appellant
The United States

Appeal from the Circuit Court of the United States for the Northern District of California

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed

per the Chief Justice Fuller

Yow Ugee.
618. vs. Appellant.
The United States.

Appeal from the Circuit Court of the United States for the Northern District of California.

This cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, & the same is hereby, dismissed

per the Chief Justice Fuller

Wan Lin Quy		Appeal from the Circuit Court
136.	vs.	of the United States for the
The United States.		Northern District of California.

This cause being called for hearing on the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, & the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Wan Lick You		Appeal from the Circuit Court
137.	vs.	of the United States for the
The United States.		Northern District of California.

This cause being called for hearing on the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, & the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Yee Quong Lee
600. vs. Appellant.
The United States.

Appeal from the Circuit Court of the United States for the Northern District of California.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Yee Quong Hing.
601 vs. Appellant
The United States

Appeal from the Circuit Court of the United States for the Northern District of California.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th. rule of this Court, now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Wong Kee Jip		Appeal from the Circuit Court
542 vs.	Appellant.	of the United States for the
The United States.		Northern District of California.

The cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that the appeal be and the same is hereby, dismissed.

per Mr. Chief Justice Fuller

Ching Dok Quin		Appeal from the Circuit Court
543 vs.	Appellant.	of the United States for the
The United States.		Northern District of California.

The cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

Wong Gu Choy. vs. The United States. — Appellant. — Appeal from the Circuit Court of the United States for the Northern District of California.

604

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller.

Wong Yow Choy vs. The United States. — Appellant. — Appeal from the Circuit Court of the United States for the Northern District of California

605

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Yau Lui Bar		Appeal from the Circuit Court
656	vs.	of the United States for the
The United States.	Appellant.	Northern District of California.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

Wong Lui Bong.		Appeal from the Circuit Court
657	vs.	of the United States for the
The United States.	Appellant.	Northern District of California.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Soon Chuck Bee. Appeal from the Circuit Court
658 vs. Appellant. of the United States for the
The United States Northern District of California.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 10th rule of this Court. now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Lee Ling Lucy. Appeal from the Circuit Court
659 vs. Appellant. of the United States for the
The United States. Northern District of California.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged & decreed that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Lowe Dew Chong. Appeal from the Circuit Court
vs. Appellant. of the United States for the
The United States Northern District of California.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Lowe Lin Yok. Appeal from the Circuit Court
vs. Appellant. of the United States for the
The United States. Northern District of California.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Lem Doo Ung. — Appeal from the Circuit Court
662. vs. Appellant. — of the United States for the
The United States. — Northern District of California.

This cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Lee Kinn Lee. — Appeal from the Circuit Court
669 vs. Appellant. — of the United States for the
The United States — Northern District of California.

This cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Lee Ah Doo	Appeal from the Circuit Court
vs.	of the United States for the
The United States.	Northern District of California.

The cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by the Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Ching Chi Lung.	Appeal from the Circuit Court
vs.	of the United States for the
The United States.	Northern District of California.

The cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Wack Lew Heong. Appeal from the Circuit Court
066 vs. Appellant. of the United States for the
The United States. Northern District of California

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller.

Gun Houg Sue. Appeal from the Circuit Court
067 vs. Appellant. of the United States for the
The United States. Northern District of California.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Gung Ping Wo. Appeal from the Circuit Court
668 vs. Appellant. of the United States for the
The United States. Northern District of California.

This cause being called for hearing in its regular order and it appearing to the Court that parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Com Ah Bong. Appeal from the Circuit Court
678. vs. Appellant. of the United States for the
The United States. Northern District of California.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Choy Yow Yee. Appeal from the Circuit Court
679. vs. Appellant. of the United States for the
The United States. Northern District of California.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is, thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged & decreed by this Court that this appeal be, & the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Wo Quan Goow. Appeal from the Circuit Court
680. vs. Appellant. of the United States for the
The United States. Northern District of California.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Jerry Lee. — Appeal from the Circuit Court
687. vs. Appellant. — of the United States for the
The United States. — Northern District of California.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Lee Hoy Jung. — Appeal from the Circuit Court
1509. vs. Appellant. — of the United States for the
The United States. — Northern District of California.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

A. Shelton, Sheriff &c. et al. vs. Appellants
1156. Thomas C. Platt, President of the United States Express Co.

The argument of this cause was concluded by Mr. W. G. W. Thomas, of counsel for the appellants.

Henry B. Morrow, Trustee et al. vs. Appellants.
224 The Cumberland Telephone and Telegraph Co.

On motion of Mr. J. W. Pickle, of counsel for the appellants,

It is ordered by the Court that the order announcing this cause be, and the same is hereby vacated and set aside and the cause restored to its place on the docket.

J. W. Allen, Comptroller &c. vs. Appellant.
381 Pullman's Palace Car Co.
And
J. W. Allen, Comptroller &c. vs. Appellant
1382 Pullman's Palace Car Co.

These cases were argued by Mr. J. W. Pickle, of counsel for the appellants and Mr. John S. Rus

mills and Mr E.S. Johnson of counsel for the appellee

Proclamation being made the Court is adjourned until to-morrow at twelve o' clock.

Tuesday. March 17th. 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.
Joseph P. Bradley
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar
David J. Brewer
Henry B. Brown.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Solicitor General Clay it is ordered that James W. Lusk, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. A.L. Williams it is ordered that Isaac Sharp. Esqure. of Council Grove and B. J. Dallas Esqure of Topeka, State of Kansas. be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

1527 John J. Stillinger et al. vs. Appellants. N.L. Crawford et al. Ordered by the Court that this cause be, and the same is hereby, continued until the next Term. per Stipulation of counsel.

1529 John M. Wilkerson Sheriff &c. vs. Appellant. Charles A. Ralvers. The argument of this cause was commenced by Mr. A.L. Williams of counsel for the appellant, and continued by Mr. Louis J. Blum. of counsel for the appellee, Mr J. M. Ives. of counsel for the appellant. Mr. David Overmyer. of counsel for the appellee. And concluded by Mr. R.E. Welch. of counsel for the appellant.

223 Josey Underwood et al. vs. Appellants. Harriet J. Dugan et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. Hallett Phillips of counsel for the appellants, and Mr. Lucien Robertson and Mr. W. O. Davis, of counsel for the appellees.

607 Patrick Manning. vs. Pff. in Error. George Weeks, Warden etc.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. R. A. Cole, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

224 The Steam Canal Boat "Sydney" etc. et al. vs. Appellants The Providence Washington Insurance Company et al.

The argument of this cause was commenced by Mr. J. A. Hyland of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, March 18th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. D. Beckwith it is ordered that O. B. Harrison, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he came thereupon accordingly.

The Plano Manufacturing Company. Appeal from the Circuit
Court of the United States
386 ... vs. Appellant. for the Northern Dis-
A.B. Graham et al. trict of Illinois.

This cause having been called to the attention of the Court by Mr. Ephraim Banning, of counsel for the appellees, and a stipulation to reverse the decree of the Circuit Court of the United States for the Northern District of Illinois having been filed, which stipulation is in the following words, viz:

United States Supreme Court.

October Term 1890

No. 386

Plano Manufacturing Company, Appellant.

vs.

Alvaro B. Graham, and Peter Whitmer, Administrators of the estate of Hugh Graham, deceased, Appellees.

It is hereby stipulated by and between the parties to the above entitled cause, through their counsel that the decree of the Circuit Court in the above entitled cause may be reversed without costs to either party in this

Court: and that the cause be remanded to the Circuit Court with instructions to dismiss the bill of complaint at complainants' costs.

(signed) L. L. Coburn.
(signed) J. W. Thacher.
Counsel for Appellant
(signed) Ephraim Banning.
(signed) Thomas A. Banning
Counsel for Appellee.

Chicago, Illinois,
March 9, 1891."

Therefore in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed, without costs to either party in this Court: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill of complaint at complainants' cost.

per Mr. Chief Justice Fuller.

Charleston Sand Boat
"Sydney" etc. et al.
224 vs. Appellants
The Providence Washington
Insurance Co. et al.

The argument of
the cause was
continued by Mr.
Lewis A. Sayre
of counsel for the
appellants, and
by Mr. B. K. Mc Cathy of counsel for the appellees,
and concluded by Mr. Sayre, for the appel-
lants.

Charles Noll et al.
225 vs. Appellants
The New York Mungo
turing Company.

The cause was argued
by Mr. Frank J. Hogan
of counsel for the appel-
lants and Mr. J. E. Hu
bin Hyde, of counsel
for the appellee.

The Brown Chemical Co.
226 vs. Appellants
C. P. J. Meyer et al.

The cause was ar-
gued by Mr. Row
land Cox, of counsel
for the appellant, and
Mr. J. E. Mc. Keighan, of counsel for the appel-
lee.

The Delaware, Lackawanna & Western Railroad Co. vs. Chas. B. Converse.

228. Pff. in Error.

The argument of this cause was commenced by Mr. J. D. Beale, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, 19th March, 1891.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.

Joseph P. Bradley.

John M. Harlan.

Horace Gray. Associate

Samuel Blatchford Justices

Lucius Q. C. Lamar

David J. Brewer.

Henry B. Brown.

John M. Wright, Esquire, Marshal

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joshua A. Ball it is ordered that John P. Broadwell, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Thomas Knoglib. — On motion of Mr. A. B.
346 vs. — Brown leave is here-
The United States Asso- — by granted counsel
ciation et al. — for the defendants in
error to file a print-
ed brief in opposition to the motion to advance
this cause.

George W. Archer. — Appeal from the Circuit
348 vs. — Court of the United States
William P. Arnd and — for the Eastern District
Henry Arnd. — of Missouri.

The cause being called for hearing in the re-
gular order and it appearing to the Court that
the parties have failed to print the transcript
of the record. It is therupon, in pursuance of
the 10th rule of this Court now here ordered,
adjudged and decreed by this Court that the
appeal be, and the same is hereby, dismissed
with costs.

per Mr. Chief Justice Fuller.

	The Delaware, Lackawanna & Western Railroad Co.		The argument of this cause was continued by Mr. S.O. Conkling of counsel for the plaintiff in error, and Mr. S.B. Prentiss, of counsel for the defendant in error and concluded by Mr. Bridle, for the plaintiff in error.
228.	vs.	Pltff. in Error.	
	Charles B. Converse.		
	The Inland & Seaboard Coasting Co., et al.		The argument of this cause was continued by Mr. Walter Wilson, of counsel for the plaintiffs in error, and continued by Mr. D.G. Cole and Mr. A.A. Burnett, of counsel for the defendant in error and concluded by Mr. Walter S. Dawdge, of counsel for the plaintiffs in error.
229.	vs.	Pltfs. in Error.	
	Thomas H. Dolson, Admr. &c.		
	Roland Worthington, Collector &c.		This cause was submitted for consideration
230.	vs.	Pltf. in Error.	
	Robbins, Appleton and Co.		

of the Court on the record and printed a

ground by Mr. Assistant Attorney General Gork-
er. of counsel for the plaintiff in error and Mr.
J. C. Tucker. of counsel for the defendants in error.

Bother & Snyder Exs George Gruik, Adms. &c. vs. Pelfs. in Errors. Bank of Pittsburgh, Adms. &c. 291.

The argument of this cause was commenced by Mr. Joshua A. Gill of counsel for the plaintiffs in error. The Court declined to hear counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, March 20th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Horace Gray, Associate
Samuel Blatchford, Justices
Lucius Q. C. Lamar
David J. Brewer
Henry B. Brown,

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry Wise Garnett it is ordered that Henry Budd, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Edwin H. Brown it is ordered that Edward P. Payson, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Paul Jones it is ordered that James H. Kimball, Esquire, of Ogden, Territory of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas J. Phelps, Receiver. Appellant, v. George Elliot and George L. Elliot, Executors etc.. ..... On motion of Mr. Edward Lauder of counsel for the appellant, leave is hereby granted him to file a printed brief herein in reply to the one filed by counsel for appellees.

827 George H Pope v. Appellant Jane Pope et al. On motion of Mr. Edward Lauder, in behalf of counsel for the appellant leave is hereby granted the

Clerk to issue the mandate in this cause.

Eugene Truchsess
240 vs. Appellant.
Samuel Corse, Henry Corse
vs Abraham Corse.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Eugene Truchsess
344 vs. Appellant.
Louis Rosenbaum.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here

ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Eugene B. Crocker
vs. Appellant
The Cutter Dock Company.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by the Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Hancock Inspirator Company.
vs. Appellant.
Henry F. Lally.

Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause being called for hearing in its regular order, and it appearing to the Court

that the parties have failed to print the transcript of the record. It is therefore in pursuance of the 10th. rule of this Court here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

232. The Electric Gas Lighting Co. vs. The Boston Electric Co. & The Electric Gas Lighting Co. vs. Luther G. Billotson et al. Appellants.

The argument of this cause was commenced by Mr. Edwin H. Brown, of counsel for the appellant, continued by Mr. Otis E. Allen and Mr. A. L. L. Snow, of counsel for the appellees in No. 232, and concluded by Mr. Edward P. Payson, of counsel for the appellant.

233. The Union Edge Letter Co. vs. George E. Keith. Appellant.

The argument of this cause was commenced by Mr. J. E. Maynadier, of counsel

for the appellant and submitted by Mr. P. L. L. Roberts, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. March 23d, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. A. Barlow, Jr. it is ordered that Frederick Cunningham, Esquire, of Brookline, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. T. J. Worthington it is ordered that William Rose Scott, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Mullan it is ordered that W. W. Lemmel, Esquire of Tacoma, State of Washington be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Walter A. Wood Mowing & Reaping Machine Company.		In Error to the Supreme Court of the State of New York.
1235		vs.	
		Plff. in Error	
	Lewis O. Skinner.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same

is hereby, dismissed for the want of jurisdiction. per Mr. Justice Brewer.

S. S. Etheridge. In Error to the Supreme
86. vs: Pff. in Error. Court of the State of
Sperry, Watt & Garver. Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The East Tennessee Virginia In Error to the
& Georgia Railway Company. Supreme Court
1407. vs. Pff. in Error. of the State of
Joseph E. Frazier et al. Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and on motion

to decree or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Tennessee.

per Mr. Justice Brewer.

The United States vs Stanley, Mark Brewer, Ben Chatterton & James Bodinelli

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such cases made and provided, and was argued by counsel.

On consideration whereof, It is the opinion of this Court that the first, second & sixth questions be not answered, and the third, fourth, fifth, sixth and seventh questions be answered in the negative.

Whereupon, It is now here ordered & adjudged by this Court that it be so certified to the said Circuit Court.

per Mr. Justice Blatchford.

The United States Life Insurance Trust Association.		In Error to the Circuit Court of the United States for the District of Connecticut.
184	vs.	
Sarah C. Hamlin.	Def. in Error.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the

Courts of the State of Connecticut.

per Mr. Justice Harlan.

Florence L. Porter, Admx. &c
4. vs. Appellant.
Robert Hamill.

Ordered by the Court that this cause be, and the same is hereby, postponed until Monday next.

per Mr. Chief Justice Fuller.

Florence L. Phelps, Trustee
1588. vs. Appellant.
George Elliott & George L. Elliott, Executors of John Elliott, deceased.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the appeal be, and the same is hereby, dismissed with costs except the cost of printing the record and the clerk's fee in

connection therewith.

per Mr. Chief Justice Fuller.

Thomas Knight. vs. The United Land Association et al. — In Err. — 348.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, with the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Joshua K. Jugalls, and Jacob Mark. Petitioners.

On consideration of the petition for a writ of error hereon and of the argument of counsel thereupon had in support of the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

	The United States ex rel Sylvanus B. Boyd	In Error to the Supreme Court of the District of Columbia.
1149	vs.	
	Pff. in Error	
	James G. Blaine, Secretary of State.	

The cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court would adjourn on Thursday until Monday next.

	Edwin D. Merritt, late Collector of the Port of New York.	In Error to the Circuit Court of the United States for the Southern District of New York.
284	vs.	
	Pff. in Error	
	Jose Muller Carden Lurch, John Muller, Peter Muller & Carden W. Lurch.	

This cause having been called to the attention of the Court by Mr. Attorney General Miller, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

John Gorman.
296 vs. Appellant.
Cary C. Havird.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John Goode, in support of the same, and Mr. Samuel Shellabarger and Mr. J. M. Wilson in opposition thereto.

Mr. Samuel Shellabarger, of counsel for the appellant, submitted to the consideration of the Court a suggestion of a diminution of the record and motion for a writ of certiorari.

The Norfolk & Western R.R. Co
1286. vs. Pff. in Error.
The State of Missouri ex rel:
Wm H. Winn, Collector etc.

Due notice to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Epps Hudson in support of the same and Mr. John B. Minor and Mr. C. P. Hughes, in opposition thereto.

William Henderson et al.
348 vs. Appellants.
The Barbourdale Coal & Coke Co. et al.
&
Edwin A. Hitchcock.
348. vs. Appellants.
The Barbourdale Coal & Coke Co. et al.

Mr. Augustus H. Garland, of counsel for the appellees, filed a stipulation to correct the transcript of record in these cases.

Charlotte A. Richardson.
1147 vs. Pff. in Error.
William J. Bryan.

On motion of Mr. Frederic Cunningham, of counsel for the plaintiff in error. It is ordered by the Court that the

writ of error in this cause be amended by making it returnable as of March 5th 1891 instead of the second Monday of October 1891 and that a new citation be issued and served returnable thirty days from this date.

1521 John W. Wilkerson Sheriff &c. vs. Appellee. Charles A. Rahrer.

Mr. Linton the petition submitted to the consideration of the Court a motion for leave to file a printed argument herein as amicus curiae.

1539. Sylvester H. Knuland. vs. Appellant. The American Loan & Trust Company et al.

And

1540. Sylvester H. Knuland. vs. Appellant. George William Barlow, Trustee, et al.

On motion of Mr. Gilmore Beall in behalf of counsel for the appellees, leave is hereby granted the Clerk to issue the mandates in these cases.

Thomas A. Green. In Error to the
345 v. Supreme Court
Plff. in Error. of the State of
The People of the State of Colorado. Colorado.
ex rel. Lucius P. Marsh & Merrick A. Rogers.

The cause having been called for hearing in its regular order, and a motion of counsel for the plaintiff in error to dismiss the cause having been filed. Therefore, in pursuance of said motion it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Union Edge Letter Co. The argument of this
233 v. Appellant. cause was continued
George E. Keith by Mr. J. L. S. Roberts, of counsel for the appellee, and concluded by Mr. J. B. Mayo, of counsel for the appellant.

239. The Pacific National Bank of Boston. Plff. in Error v. Mary J. Eaton.
300. George L. Shaw, Trustee. Plff. in Error. v. Peter Butler, Receiver.
301. Peter Butler, Receiver &c. " " " Mary J. Eaton.

Monday, March 23d, 1891. Continued.

The Argument of Three cases was commenced by Mr. A. A. Carey, of counsel for the Bank and Butler Receiver, and continued by Mr. J. A. Burton, Jr. of counsel for Eaton and Wayne County.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

Monday. March 24th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Augustus H. Garland it is ordered that James Shirley, Esquire of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this be-

Hall by Mr. William Henry Clifford it is ordered that Francis E. Spencer, Esquire, of San Jose, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Abram Poole et al. vs. The West Point Butter & Cheese Association et al. Appellants. Appeal from the Circuit Court of the United States for the District of Nebraska.

900.

It appearing to the Court that a stipulation to dismiss this appeal has been filed, Therefore, in pursuance of said stipulation, It is now hereby ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed. per Mr. Chief Justice Fuller.

Abram Poole et al. vs. The West Point Butter & Cheese Association et al. Appellants

600

On motion of Mr. John W. Carr, in the Hall of Counsel, leave is hereby granted the Clerk to issue the mandate in this cause

The Cable Tramway Co. of Omaha.

387. vs. Appellant. Appeals from
The Omaha Horse Railway Co. the Circuit
of the City of Omaha. Court of the
(W) United States
The Omaha Horse Railway Co. for the Dis-
of the City of Omaha. trict of Ne-
397 vs. Appellant. braska.
The Cable Tramway Co. of Omaha.

It appearing to the Court that stipulations to dismiss these appeals have been filed. Therefore in pursuance of said stipulations it is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

The Illinois Grand Trunk
Railway Company.
251. vs. Appellant.
J. H. Wade Jr. receiver &c. &c.
The Illinois Grand Trunk Ry. Co.
252 vs. Appellant.
J. H. Wade Jr. receiver &c. &c.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr.

J. G. Herndon, of counsel for the appellants, & Mr. C. S. Mc Clelland and Mr. George A. Sanders, of counsel for the appellee.

288 Gaby & Lunati et al. vs. Pipp, in Error. Charles N. Mitchell. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called for hearing in its regular order, and a motion by counsel for the plaintiff in error to dismiss having been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

299 The Pacific National Bank of Boston, Plff in Error vs Mary J. Baker
300. George L. Shayer, Trustee, Plff in Error vs Peter Butler, Receiver &c
301. Peter Butler, Receiver &c. " " " " Mary J. Baker,

The argument of these causes was commenced by Mr. D. A. Ramsey, of counsel for the Bank and Butler, Receiver.

	Wm. H. Mc. Allister Jr.		This cause was argued
238.	vs.	Appellant.	by Mr. S. D. Phillips, of
	The United States.		counsel for the appellant
			and Mr. Solicitor Gen-

eral Taft, of counsel for the appellee.

	Samuel B. Maynard.		This cause was sub-
319.	vs.	Appellant.	mitted to the consider-
	The United States.		ation of the Court on
			the record and a

printed argument by Mr. D. H. Armes and Mr. Roger S. Greene of counsel for the appellant and by Mr. Solicitor General Taft (on this brief as No. 238) of counsel for the appellee.

	The Northern Pacific R.R. Co.		This cause was
244.	vs.	Pff. in Error.	argued by Mr.
	The Territory of Washington ex		Augustus H. Gar-
	rel: Miriam Austin. Prosecuting		land, of counsel
	Attorney etc.		for the plaintiff
			in error. No

counsel appeared for the defendant in error.

James J. Hill.
246. vs. Appellant
The Chicago & Evanston
Railroad Company et al.

The cause was argued by Mr. W. H. Grover, of counsel for the appellant & Mr. John W. Cary, of counsel for the appellee.

William Henderson et al.
247. vs. Appellants.
The Carbondale Coal & Coke
Company et al.
&
Ethan A. Hitchcock.
248. vs. Appellant.
The Carbondale Coal & Coke
Company et al.

The argument of these cases was commenced by Mr. James Mc. Cartney, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday. March 25th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

256 Grant Curtis vs. Appellant. John Hurd. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is thereupon, in pursuance of

the 10th rule of this Court, were here ordered, adjudged and decreed by the Court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

Abijah Curtiss. — Appeal from the Circuit Court
257. — vs. — Appellant. — of the United States for the
John Hurd. — Southern District of New York.

This cause being called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, [illegible] ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

The Essex Public Road Board. — This cause was submitted to the consideration of the Court on the record and printed arguments
262. — vs. — Pff. in Error.
Jacob Skinkle.

by Mr. J. W. Bayles, of counsel for the plaintiff in error, and Mr. J. Frank Fort, of counsel for the defendant in error.

James H. Hoxsie et al.
263. vs. Pffs. in Error.
Robert Simpson Jr. ux.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

William Henderson et al.
247. vs. Appellants
The Carbondale Coal & Coke Company et al.

and

Ethan A. Hitchcock.
248. vs. Appell
The Carbondale Coal & Coke Company et al.

The argument of these cases was continued by Mr. James McCartney, of counsel for the appellants and Mr. H. J. Way, of counsel for the appellees, and concluded by Mr. McCartney for the appellants.

G. W. Applegarth
260 vs. Pff. in Error
Frank Kerling.

This cause was argued by Mr. Enoch Totten, of counsel for the plain-

tiff in error. No counsel appeared for the defendant in error.

The Selma, Rome & Dalton Railroad Company. Appellant.
12. vs.
The United States.

The argument of this cause was commenced by Mr. George A. King, of counsel for the appellant, and continued by Mr. Assistant Attorney General Pollock of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday. March, 26th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
} Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Virginia Ferry Co. vs. The Ohio & Mississippi Railway Co. et al.

264 Appellant.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term for elucidation of counsel.

The Selma, Rome & Dalton Railroad Company.
12. vs. Appellant.
The United States.

The argument of this cause was continued by Mr. Assistant Attorney Gen'l. Olney, of counsel for the appellee, and concluded by Mr. George A. King, of counsel for the appellant, and leave was granted counsel to file supplemental briefs herein.

The Union Mutual Life Insurance Co.
254. vs. Appellant.
Philander B. Hanford et al.

This cause was argued by Mr. Walter H. Smith, of counsel for the appellee, and submitted on a printed argument by Mr. P. S. Grosscup, of counsel for the appellant.

Warren Leland Jr.
260. vs. Plff. in Error
The Central National Bank of the City of New York.

Warren Leland Jr. vs. Plff. in Error
The Central National Bank of the City of New York.

These cases were argued by Mr. John Linn, of counsel for the defendant in error and appellee.

Warren Leland Jr. In Error to the Circuit
vs. Deft. in Error Court of the United States
The Central National Bank for the District of
of the City of New York. New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey. It was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New Jersey.

per Mr. Chief Justice Fuller.

Warren Leland Jr. In Error to the Circuit
vs. Deft. in Error Court of the United States
The Central National Bank for the District of
of the City of New York. New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and

was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

Thomas Dolan.
265. vs. Appellants.
Abraham G. Jennings.

Henry R. Kibbe et al.
266. vs. Appellants
Abraham G. Jennings.

The question of jurisdiction in these cases was argued by Mr. John C. Bennett, of counsel for the appellants, and Mr. C. C. Briscoe, of counsel for the appellee.

Anna M. Carpenter,
267. vs. Pff. in Error.
Mary B. Strange et al.

This cause was argued by Mr. Henry Wise Garnett, of counsel for the plaintiff in error, and Mr. W. Hallett Phillips, of counsel for the defendants in error, and leave was granted counsel for the defendant in error to file an additional brief and counsel for the plaintiff in error to file a brief in reply thereto.

William J. Wilson. In Err. to Supr. Ct. Wm. L. Everett. This cause was argued by Mr. R. P. McNeal, of counsel for the defendant in error, and submitted on a printed argument by Mr. C. W. Patterson and Mr. C. S. Thomas, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday. March 3rd. 1873.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Joseph P. Bradley
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar
David J. Brewer
Henry B. Brown.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Albert W. Barnum, Esquire, of Chicago, State of Illinois, and William W. Stickney, Esquire of Ludlow, State of Vermont be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to this Court in the

Motion by Mr. J. H. Adolph it is ordered that Warren B. Mc. Elwee, Esquire of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. Solicitor General Vaft it is ordered that Edward A. Bowers, Esquire of Washington, District of Columbia, and Thomas W. Hinchey, Esquire of Albany, State of New York, be admitted to practice as an attorney and counsellor of this Court and they were sworn accordingly.

On motion first made to the Court in this today by Mr. W. J. Johnson it is ordered that Alexander Mc Cracken, Esquire of Canfield, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. G. B. Dennis it is ordered that Louis J. Hurd, Esquire of Dubuque, State of Iowa, be admitted to practice as an attorney and coun-

sellor of this Court and he was sworn accordingly

P. R. Handley, J. B. Heiskell, W. D. Valliant, George W. Fletcher & John P. White. — Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

116 vs. Appellants

Sebastian Stutz, Pagan Brothers, Louis Stix and Co, et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein, in conformity with the opinion of this Court.

per Mr. Justice Brown.

Dissenting: Mr. Chief Justice Fuller.
Mr. Justice Lamar.

Charles Hoff, Peter Remer. Appellants
vs.
The Iron Port Mining Company. Appellee

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

James A. Talbott, Special Administrator of Andrew J. Davis, deceased. Appellant.
vs.
The Board of County Commissioners of Silver Bow County, Montana Territory. Appellee.

Appeal from the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of

the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs: and that this cause be and the same is hereby remanded to the Supreme Court of the State of Montana.

per Mr. Justice Brewer.

Josey Underwood & Warner Underwood by their next friend Fanny L. Grider, & U.H. Cundiff, Administrator of James H.R. Cundiff deceased.

vs.

Harriet L. Dugan, W.P. Dugan, David N. Dugan, Georgia Hanson et al.

Appeal from the Circuit Court of the United States for the Northern District of Texas.

233.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here order-

ed, adjudged and decreed by the Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Brewer.

The Steam Canal Boat "Sydney," her engines &c. & The Canal Boat "William Worden," her Tackle, &c. Charles E. Wager, Claimant. Appellants. vs. The Providence Washington Insurance Company, of Providence, Rhode Island, & The Security Insurance Company, of New Haven, Connecticut.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Justice Bradley.

Roland Worthington. Collector
of Customs for the District of
Boston & Charlestown.
vs.
R.B. Robbins, H. A. Robbins,
H.A. Appleton, O.P. Appleton &
B.B. Wells, copartners as Rob-
bins, Appleton and Co.

In Error to the
Circuit Court
of the United
States for the
District of
Massachusetts.

230.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Blatchford.

Boehm & Snyder & George A Brink Administrators of C. Brown Snyder, decd.		Pffs. in Error.	In Error to the Circuit Court of the United States for the District of Massachusetts.
231.	vs.		
Emil A. Fiedler Administrator de bonis non of Francis J. Lisbon, deceased.			

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest shall be paid at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Harlan.

The Delaware, Lackawanna & Western Railroad Company.		Pff in Error.	In Error to the Circuit Court of the United States for the District of New Jersey.
228	vs.		
Charles B Converse.			

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of New Jersey and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New Jersey.

per Mr. Justice Harlan.

Delos C. Mellen, Administrator of William Gay, deceased.

18. vs. Appellant.

John A. Buckner, in his own right and as Tutor of Etheline Buckner, a minor, et al.

John A. Buckner, in his own right, and as Tutor of Etheline Buckner, a minor, et al.

27. vs. Appellants

Delos C. Mellen, Administrator of William Gay, deceased.

Appeals from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, and that a new and different decree be made in this consolidated case, and by way of supplement to the decree in the principal case of William Kaye Administrator against Matthew D. Johnson, dative testamentary executor of Oliver J. Morgan, and others that is to say, it is ordered and decreed that the bills filed by the complainants in the causes herein consolidated be retained, and the cases consolidated with the said principal case of Kaye administrator against Morgan's dative testamentary executor and others; but that all relief prayed in and by said bills filed in the present cases be denied except as herein declared, viz: it is decreed that instead of reserving to the said complainants the right to go before the master in said suit of Kaye administrator, and to prove their claims against

the estate of said Oliver J. Morgan, deceased, for any supposed indebtedness to them as heirs of Narcissa Decow, the said claims are hereby declared to be satisfied and paid: and that in place of said supposed claims the said heirs are entitled to have and retain a certain portion of said Oliver J. Morgan's estate free from the claims of his creditors, as follows, to wit: two fifths of the four plantations Olivia, Milton, Enon and Morgana, are directed and decreed to be reserved for the benefit of the heirs of Julia Morgan, deceased: and one half of Melbourne plantation is directed and decreed to be reserved for the benefit of the heirs of Oliver H. Kellam, Jr. deceased: and that the remaining interest in the said plantations is decreed and adjudged to be subject to the payment and satisfaction of the debts due to the administrator of said William Gay, deceased, and to the other creditors who shall have established their debts before the master in said Gay's suit, not including the complainants in this consolidated cause: and it is further decreed that the portions so to be appropriated to said heirs respectively, be set off to them in severalty, by the

shall so desire without charging them for the value of any permanent buildings erected by them thereon: and that all the remaining portions of said plantations be sold in convenient parcels and the proceeds appropriated to the creditors as above stated. And power is reserved to the Court hereto to appoint commissioners to make division of said property in the proportions above named before said sale shall take place. But if the heirs shall not desire a severance of their portions then the whole property to be sold, and they to receive their respective portions of the proceeds, but no allowance for buildings. Any moneys in the hands of the receiver after paying his expenses and compensations, are to be divided between the creditors and heirs in the proportions above stated, applying the amount due to the heirs so far as may be requisite, to the costs payable by them. In carrying out the said directions, if the heirs shall desire their portions to be set off in severalty, they may designate any buildings erected by them which they wish to retain, and the portions set off to them shall include said buildings if it can be done without [illegible]

to the other parts: and in that case the value of such buildings shall not be included in the aggregate valuations of the lands now charged to the lines in the valuations of the portions so set off to them with said buildings.

It is further decreed that said parties pay their own costs on these appeals, except the cost of printing the record, which shall be equally divided. It is also decreed that the costs in the Circuit Court up to the present time be paid by the complainants as directed in the decree appealed from. It is further decreed that the cause be remanded with directions to the Circuit Court for the Eastern District of Louisiana to enter a decree in conformity herewith, and to proceed in accordance with the opinion of this Court heretofore filed.

per Mr. Justice Bradley.

(Mr. Justice Brewer and Mr. Justice Brown were not members of the Court when this case was argued, and took no part in the decision).

Thomas L. Porter, Admr. &c. vs. Robert Hamill. Appellant.

4. On consideration of the motion of Frederick H.

Motion for leave to intervene herein, and of the argument of counsel thereupon had as well in support of, as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Keokuk & Western Railroad Co.
vs. Pff. in Error.
The State of Missouri, ex rel: Wm. H. Wine, Collector etc.
1286. On consideration of the motions to dismiss or affirm herein and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

John Gorman.
vs. Appellant.
Mary E. Harrod.
1296. On consideration of the suggestion of diminution of the record and motion for a writ of certiorari in this cause.

It is now here ordered by the Court that said motion be, & the same is hereby, granted.

It is further ordered that the consideration of the motions to dismiss or affirm herein be reserved until the return to the writ which will be made returnable forthwith.

per Mr. Chief Justice Fuller

John M. Wilkerson, Sheriff &c
152 ✓ vs. Appellant.
Charles O. Rabcock.

On consideration of the motion of Mr. Linton for leave to file a printed argument herein as amicus curiae

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

P. W. Goltzhausen
250. vs. Def. in Error.
Frank Kerting.

In Error to the Circuit Court of the United States for the Eastern District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now

fore ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin

per Mr. Chief Justice Fuller.

Linda E. Simmons et al. In Error to the Circuit Court
1825 vs. Pltffs. in Error. of the United States for the
Pa. Lighter Land Company. Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed at the costs of the plaintiffs in error: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings.

per Mr. Chief Justice Fuller.

Thomas Dolan. Appeal from the Circuit Court
265 vs. Appellant. of the United States for the
Abraham G. Jennings. Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Henry R. Kibbe, Edward J. Phelps, George H. Shrue, Henry L. Stokes, Albert K. Thompson and Henry L. Kibbe as Kibbe, Phelps, Shrue & Company. Appeal from the Circuit Court of the United States for the Southern District of New York.
266 vs. Appellants.
Abraham G. Jennings.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District

of New York, and was argued by counsel. On consideration whereof, It is hereordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

No. 170. Dick Duncan. vs. W. P. McCall, Sheriff of Bexar County, Texas. — Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas and was argued by counsel. On consideration whereof, It is hereordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

No. 259. Jno. Leeper & Co. Plffs. in Error. vs. The State of Texas. — In Error to the Court of Appeals of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The United States — In Error to the Circuit Court
512 v. Pltf in Error — of the United States for the 3rd
Henry A. Stafford — ern District of Pennsylvania.

This cause having been called to the attention of the Court by Mr. Attorney General Miller of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

1807 William H. Alexander, Plff. in Error vs. The United States
1810 Bond Compton, etc. " " " " " " "

On motion of Mr. Solicitor General Supt. of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandates in these cases.

The United States
655 vs. Appellant
Ballin, Joseph & Co.

Mr. J. E. Parker, of counsel for the appellee submitted to the consideration of the Court a motion to advance this cause.

Long Way Que
1681 vs. Appellant.
The United States

Yee Ah Shew
1682 vs Appellant
The United States.

A motion for leave to present motions to admit appellants to bail pending these appeals was submitted to the consideration of the Court by Mr. E. B. Hinsdill and Mr. [illegible] H. Lamar in support of the same.

Ex parte: In the matter of James A. Simmons. Petitioner. Mr. J. J. Joyce, of counsel for the petitioner submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein

John W. Ross. 689. vs. Appellant. James Mc. McIntyre, Superintendent &c. Mr. George W. Terdwey, of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

J. W. Ownes. 593. vs. Pff. in Error. The State of Texas. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. C. H. Armes, Mr. Henry W. Gursman and Mr. D. A. Culberson in support of the same, & Mr. S. P. Phillips and Mr. Frederick H. McNeny in opposition thereto.

1311 John B. Penny et al vs. Pltffs. in Error. Brown & Hatch. On motion of Mr. W. Mallett Phillips of counsel for the defendants in error. It is ordered by the Court that the cause be and the same is hereby, advanced, pursuant to the 3rd rule.

1314 The New Orleans City and Lake Railroad Company. vs. Pltff. in Error. The State of Louisiana, ex rel. The City of New Orleans. The motion to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel L. Gilmore, in support of the same, and Mr. A. D. Buck, in opposition thereto.

1354 E. T. Williams Sheriff &c. et al. vs. Pltffs. in Error. The Assumpsic Savings Bank. The motion to dismiss in this cause was submitted to the consideration of the Court by Mr. Henry C. Ide, in support of the same.

Mr. A. Bisbee of counsel for the plaintiffs

in error, submitted to the consideration of the Court a motion for leave to withdraw the transcript of record.

H. W. Sanford. On motion of Mr. J. K.
275. vs. Plff. in Error. Mitchell leave is hereby
C. W. Sanford. granted him to with-
draw his appearance
herein as counsel for the plaintiff in error.

H. W. Sanford. This cause was submitted
275. vs. Plff. in Error. to the consideration of the
C. W. Sanford. Court on the record and
printed arguments by
Mr. W. O. Braiard, of counsel for the plaintiff
in error, and Mr. J. H. Dolph, of counsel for the
defendant in error.

The Pennsylvania Railroad . In Error to the
Company. Circuit Court of
378. vs. Plff. in Error. the United States
Thomas J. Mc Laughlin, Admin- for the District
trator of Mary Mc. Laughlin, dec'd. of New Jersey.

This cause having been called for hearing

in its regular order, and a stipulation to dismiss this cause having been filed. Therefore, in pursuance of said stipulation. It is now hereby ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

George G. W. Bartels, Peter A. H. Reinhold & Emanuel E. Francois.		In Error to the
		Circuit Court
270.	vs.	of the United
	Peffa in Error.	States for the
Jonathan T. Rathbone and Frank		Southern Dis-
B. Redfield, Executrix & Executor		trict of New
of Isaac C. Redfield, deceased, late		York.
Collector of the Port of New York.		

This cause having been called for hearing in its regular order, and Mr J. E. Phillips of counsel for the plaintiffs in error, having moved the Court to dismiss this cause. Therefore, in pursuance of said motion. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Constance C. Redfield et al. Executors etc.
269. vs. Pffs. in Error.
George G. W. Bartels et al.

This cause was argued by Mr. Assistant Attorney General Maury, of counsel for the plaintiffs in error, and Mr. J. M. Phillips of counsel for the defendants in error

271 Joseph Hall et al Pffs in Error vs The State of Louisiana.
272. Joseph Hug. " " " " " " "
273. Timothé Bouche. " " " " " " "
274. Joseph Hall et al. " " " " " " "

These cases were argued by Mr. West Shaw of counsel for the plaintiffs in error and submitted on a printed argument by Mr. Burton Hunt, of counsel for the defendant in error.

Daniel Wagoner Collector etc.
880. vs. Pffs. in Error.
Edward Luckemeyer et al.
by
A. G. Seeberger, Collector etc.
1424. vs Pffs in Error
John C. Barnes and Co

The argument of these cases was commenced by Mr. Solicitor Cushing and

of counsel for the plaintiffs in error, and continued by Mr. Francis Lynde Stetson of counsel for the defendants in error in No. 880.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 31st, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Joseph P. Bradley,
John M. Harlan,
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar,
David J. Brewer,
Henry B. Brown,
John M. Wright, Esquire, Marshal,
and James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Taft it is ordered that Henry Munroe Rogers, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Blumenstiel it is or

dered that Howard A Sperry Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Leung Wey Due
1681. vs. Appellant.
The United States

Yee Ah Shew.
1682. vs. Appellant.
The United States.

On consideration of the motions of Mr. E. B. Stoughton and Mr. W. H. Lamar, of counsel for the appellants in these cases, submitted to the Court on the 30th. inst:

The Chief Justice said:

As to the application in Nos. 1681 and 1682, we are of opinion that it is within the power of the Circuit Court and is its duty in proper cases to admit to bail and we shall decline to take jurisdiction to do so upon these applications. These are cases however, in which a motion to advance would be considered.

It is therefore ordered by the Court that the said motions be, and the same are hereby denied.

The City of New Orleans. ... On motion of Mr
1298. ... vs. Appellant. Alfred Goldthwaite
Wm. Wallace Whitney, Admr. etc. of counsel for Whit
ney, Admr. leave
Wm. Wallace Whitney, Admr. etc. is hereby granted
1320. ... vs. Appellant. the Clerk to issue
The City of New Orleans. the mandate in
these cases

David Wagone, Collector etc The argument
880. ... vs. Plff. in Error. of these cases
Edward Luckemeyer et al. was continued
by Mr. Brandeis
O. G. Seiberger, Collector etc. Lynde Stetson,
1441. ... vs. Plff. in Error. of counsel for
John V. Darnell and Co. the defendants
in error in the
880. and Mr. Percy L. Stumm, of counsel for the defendants in error in the 1441. and concluded by Mr. Solicitor General Phillips, of counsel for the plaintiffs in error.

Florence S. Fowler, Admx. etc. The argument
4. ... vs. Appellant. of this cause
Robert Hamill. was commen-

ed by Mr J. E. Hunter Hyde, of counsel for the appellant. The Court declined to hear further argument at present, and passed the case with leave to counsel for the appellant to apply for a writ of certiorari.

William Byrne
276 vs Pltf in Error
The Oregon & California
Railroad Company.

The cause was argued by Mr J. H. Mitchell, of counsel for the plaintiff in error, & Mr. J. H. Ashlow, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April 1st, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice

Joseph P. Bradley,
John M. Harlan.
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.

} Associate Justices

John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. G. S. Curtis it is ordered that Isaac O. Lore, Esquire, of Dallas, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. F. Butler it is ordered that

Charles B. Barber, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Robert Gillon. vs. William O. Taylor. 1040 Appellant.

Mr William W. Stickney of counsel for the appellee submitted to the consideration of the Court a motion to advance this cause.

The State of Nebraska. vs. The State of Iowa. 4. Original.

On motion of Mr. Peter A. Reeve, in behalf of counsel, leave is hereby granted to file herein stipulations of counsel as to filing pleadings and also the Answer of the defendants.

Earl Philip Mason et al. vs. U. A. Robertson late Collector etc. 277. Pffs. in Error.

The cause was argued by Mr. Edward Hartley of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Parker, of counsel for the

defendant in error.

The Western Electric Company. Appellant.
279. vs.
George W. La Rue.

This cause was argued by Mr George P. Barton of counsel for the appellant and Mr A. v. Briesen of counsel for the appellee.

A. Henry Schutz et al. Sups. in Error.
280. vs.
Eben O. Jordan et al.

The argument of this cause was commenced by Mr. Alexander Blumenstiel, of counsel for the plaintiffs in error.

Proclamation being made the Court adjourned until to-morrow at Twelve o'clock.

Thursday, April 2d, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Joseph P. Bradley,
John M. Harlan,
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar,
David J. Brewer,
Henry B. Brown,
Associate Justices
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this today by Mr. Solicitor General Taft it is ordered that George D. Collins, Esquire of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. G. M. Wale it is ordered that Charles

Barnes Peck Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The United States	Appeal from the Cir-
293.	vs. Appellant.	cuit Court of the Un-
	Samuel A. Bullard vs The	ited States for the
	Bullard Cattle Company.	District of Kansas

This cause having been called to the attention of the Court by Mr. Solicitor General Taft, of counsel for the appellant, and he having moved the Court to dismiss this cause, therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by the Court that this appeal be, and the same is hereby, dismissed.

per Mr Chief Justice Fuller.

	Marco B. Gary, Collector etc.	In Error to the Cir
1686.	vs. Pff. in Error.	cuit Court of the
	Frederick Muhlhauser and	United States for
	W. B. Schmidt, as F. Muhlhauser	the Northern Dis-
	and Co.	trict of Illi.

The cause having been called by the attention of the Court by Mr. Solicitor General Taft, of counsel for the plaintiff in error, and he having moved the Court to dismiss the cause. Therefore in pursuance of said motion it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr Chief Justice Fuller.

W. A. Gary, Solicitor etc. vs. Peff, in Error. / E. Muhlhauser and Co. / 1635

On motion of Mr Solicitor General Taft, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

A. Henry Schultz et al. vs. Peff, in Error. / Chas. E. Jordan et al. / 280

The argument of this cause was continued by Mr. Alexander Blumenstiel, of counsel for the plaintiffs in error, and Mr Walter Wilgus of counsel for the the defendants in error, and concluded by Mr. Blumenstiel, for the plaintiffs in error.

Edmund P. Dwight et al.
281. Executors etc.
vs. Pffs. in Error.
B. D. Merritt, late Collector etc.

This cause was argued by Mr. Edwin C. Smith of counsel for the plaintiffs in error and Mr. Assistant Attorney General Maury of counsel for the defendant in error.

The Board of Commissioners
of the County of Harper.
284 vs. Pff in Error.
Eber Peacock, Adm'r. etc.

This cause was submitted on the consideration of the Court on the record and printed arguments by Mr. William E. Earle, and Mr. W. D. S. Curtis, of counsel for the plaintiff in error, and Mr. W. H. Rawlins, Mr. Charles C. Smith and E. C. Dallas, of counsel for the defendant in error.

W. D. Cook, Assignee etc.
285 vs. Pff. in Error.
George D. Fortune et al

The argument of this cause was commenced by Mr. W. B. Hyer of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned

Friday. April 3d. 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

W. O. Bock. Assignee etc. vs. Gilf. in Error. 286
George D. Perkins et al.

The argument of the cause was continued by Mr. D. E. Lyon of counsel for the plaintiff in error and Mr. P. B. Davis and Mr. L. B. Hurd of counsel for the defendants in error and concluded by Mr. Lyon for the plaintiff in error.

286 The Steam Dug "E. A. Packer" etc. vs. The New Jersey Lighterage Co. Appellant.

The argument of this cause was continued until the 8th inst. by the Hon. Partley of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday. April 6th. 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John Mc. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer
Henry B. Brown.
John Mc. Wright, Esquire Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert J. Hare it is ordered that William B. Morris, Esquire, of New York City, be admitted to practice as an attorney and counsellor of the Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter H. Smith it is ordered that

Hadlai A. Hull, Esquire of New London, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Brown Chemical Company. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

226. vs. Appellant.

Christian G. G. Meyer, John G. W. Meyer, Edward P. Williams, Frederic G. Meyer, Theodore G. Meyer, Gustave J. Meyer and Edward W. Sinclair.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

The Union Edge Letter Company. ..... Appellant.
vs.
George E. Keith. ..... Appellee.

233. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

The Yuba-State Land Company. ..... Appellant.
vs.
The Maxwell Land Grant Company.

267. Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideral-

ion whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Lamar.

The Electric Underground Company. vs. The Boston Electric Company. Appeal from the Circuit Court of the United States for the District of Massachusetts.

282

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Blatchford.

The Electric Gas Lighting Company. ... Appellant.
235 ... vs. ...
Luther C. Tillotson and Edwin S. Greeley. ...

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed, with costs to the appellee.

per Mr. Justice Beatchford.

Patrick Manning. ... In Error to the
1607 ... vs. ... Supreme Court of
George Hicks Warden of ... the State of Wis-
the Wisconsin State Prison. ... consin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by

counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

The Inland and Seaboard Coasting Company, Pltf. in Err., vs. Henry A. Willard, John W. Thompson, Samuel Hoskins and J. H. Bailey, Defts. in Error. In Error to the Supreme Court of the District of Columbia.

129

Thomas H. Dolson, Administrator of Francis A. Dolson, deceased.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum, that similar judgments bear in the

Courts of the District of Columbia.

It is further ordered that this mandate be entered nunc pro tunc as of October 15th 1890.

per Mr. Justice Gray.

The Selma, Rome & Dalton Railroad Company. Appeal from the
12. vs. Appellant. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Justice Harlan.

James A. Patten Special Appeal from the
Administrator of Andrew Supreme Court
J. Davis, deceased, of the Territory
219. vs. Appellant, of Montana.
Henry Ulbricht.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana with instructions to order a new trial in the proper trial Court.

per Mr. Justice Gray.

The New Orleans City & Lake Railroad Company.
vs.
The State of Louisiana ex rel: The City of New Orleans.

814. Pltff. in Error.

On consideration of the motion to dismiss or affirm herein and of the argument of counsel thereupon had, as well in support of, as against the same. It is now here ordered by the Court that said motions be, and the same are hereby, denied

per Mr. Chief Justice Fuller.

Edwin G. Williams, as Sheriff of Warren County Florida, & as Special Administrator of the Estate of John E. Williams, deceased et al. vs. The Tassumpsic Savings Bank

In Error to the Circuit Court of the United State for the Northern District of Florida.

1854 Pffs. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United State for the Northern District of Florida and on a motion to dismiss or affirm, which was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Edwin G. Williams, Sheriff &c. et al. vs. The Passumpsic Savings Bank.

1854 Pffs. in Error.

On consideration of the motion for leave to withdraw the transcript of the record herein, It is now here ordered by the Court that the mandate in this cause issue forthwith and if the plaintiffs in error severally take

and prosecute an appeal from the decree rendered by the Circuit Court, same will be granted there to file as part of the return to said appeal the transcript of the record in the case.

per Mr. Chief Justice Fuller.

The United States
658. vs. Appellant.
Bellin, Joseph & Company.

On consideration of the motion to advance the cause it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Tuesday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of James D. Simmons. Petitioner.

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein and of the argument thereon in support of the same, it is now ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

John W. Ross.
1685 vs. Appellant. On consideration of the motion to advance this cause, It is now ordered by the Court that said motion be,
James McAlpine, Superintendent etc.

and the same is hereby granted and the cause assigned for argument on the 27th inst and put at the head of the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Robert Dillon.
1690 vs. Appellant. On consideration of the motion to advance this cause, It is now here ordered by the Court that
William O. Taylor.

said motion be, and the same is hereby granted, and the cause assigned for argument on the 27th instant after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

T. Hutton, Sheriff &c. & L. D. Cate, Deputy Sheriff of Hamilton County, Tennessee
1155 vs. Appellants. Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.
Thomas B. Crain as President of the United States Express Company.

Monday. April 6th, 1891. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill.

Mr. Chief Justice Fuller dissenting:

Mr. Justice Harlan.

The State of Nebraska. Complainant.
vs.
The State of Iowa.

On motion of Mr. Felix A. Reeve on behalf of complainant for leave to file a cross bill herein,

It is ordered and leave is hereby granted to file a cross bill herein.

The United States. Complainant.
vs.
The State of Texas.

On motion of Mr. Assistant Attorney General Maury of counsel for the

defendants, leave is hereby granted to file a Stipulation of counsel as to the admission of certain documentary evidence therein.

Thomas H. Allen et al. vs. William P. Halliday. Appeals from the Circuit Court of the United States for the Eastern District of Arkansas

No. 64

The cause having been called by the direction of the Court by Mr. A. H. Garland, of counsel for the appellee, and a Stipulation of counsel to dismiss the cause having been filed. Therefore, in pursuance of said Stipulation, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Carl A. Hylbadh vs. E. J. E. Katerus et al. Pff. in Error. Mr. John Paul Jones, of counsel for the defendants in error, presents a certificate of the Clerk of the Circuit Court of the United States for the Northern District of Illinois and moved the Court to docket and dismiss the cause for

on said to the 9th rule. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The City of Superior
222 vs. Pltf in Error.
Lyman B. Ripley et al.

On motion of Mr. Hall in the Church in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

Ex parte: In the matter of
John Warfield
Petitioner.

Mr. Duane E. Cox, of counsel for the petitioner submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.

The Northern Pacific Rail-
road Company.
1537 vs. Pltf in Error.
James Holmes.

The motion to dismiss was submitted to the consideration of the Court on a printed argument by Mr. John C. Allen in support of the same, and by Mr. Augustus H.

Mandate for the writ filed in Case No. 1660 in opposition thereto.

E. A. Merritt, late Collector etc. vs. Jost Moller et al. Pff. in Error. 282.

On motion of Mr. Solicitor General Pafft, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

The Mexican Cey "E. A Packer" etc. vs. The New Jersey Lighterage Co. Appellant. 286.

The argument of this cause was continued by Mr. R. D. Benedict, of counsel for the appellee, and concluded by Mr. E. F. McCarthy, of counsel for the appellant.

James M. D. Gleason vs. The Virginia Midland Railroad Company. Pff. in Error. 287.

This cause was argued by Mr. Simon Sutton, of counsel for the plaintiff in error, and Mr. Linn Bruff, of counsel for the defendant in error.

Mrs. Sarah E. Marshall. The argument of
288. vs. Pff. in Error. this cause was
H. B. Holmes, Sheriff, et al. commenced by
Mr. O. L. Keasley.
of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.

Tuesday April 7th 1891.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Melville W. Fuller Chief Justice.

Stephen J. Field.

Joseph P. Bradley.

John M. Harlan

Horace Gray. Associate

Samuel Blatchford Justices

Lucius L. C. Lamar.

David J. Brewer.

Henry B. Brown.

John W. Wright, Esquire, Marshal.

James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

On motion first made in this behalf by Mr. Epps Hudson it is ordered that W. H. Bolling, Esquire of Wytheville, State of Virginia, John B. Moore Esquire of Memphis, State of Missouri, and John D. Mc. Grath, Esquire, of Jersey City, State of New Jersey, be admitted to practice as Attorneys and Counsellors of the Court and they were sworn accordingly

Carl A. Hybbadh.
vs. Sup. in Error.
G. A. B. Haterius et al.

Mr. John Paul Jones, of counsel for the defendants in error, then and there filed a certificate, and presented in open Court the following certificate, to wit:

In the Circuit Court of the United States
Northern District of Illinois
Southern Division

I William H. Bradley, Clerk of the Circuit Court for the Northern District of Illinois, Southern division, do hereby certify that in a certain cause pending in said Court wherein Carl A. Hybbadh was plaintiff, and George A. Lawrence, G. A. B. Haterius and Anna Anderson were defendants, a final judgment was rendered by said Circuit Court on the 29th day of April A.D. 1890, in favor of said defendants and against said plaintiff, and that on the 28th day of June, A. D. 1890, said plaintiff, Carl A. Hybbadh, sued out a writ of error to said Circuit Court directed to remove said cause to the Supreme Court of the United States.

In testimony whereof,
I have hereunto set my

and affixed the
seal of said Circuit Court
at the City of Peoria, this
25th day of March, A.
D. 1891.

{ Seal }

William H. Bradley
Clerk.

by Enoch P. Sloan.
Deputy.

and having moved the Court to docket and dismiss this cause, pursuant to the 9th rule, and it appearing to the Court that the plaintiff in error has failed to have this cause filed and docketed in conformity with the rules of this Court. Therefore It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Northern District of Illinois be, and the same is hereby, docketed and dismissed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law. Per curiam.

Mr. Chief Justice Fuller.

548. The Leadville Coal Co. et al. vs. William Mc. Creery et al. Appellants. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. C. S. Hine and Mr. C. C. Baldwin, in support of the same, and Mr. Henry Crawford, in opposition thereto.

288. Mrs. Sarah E. Marshall. vs. H. B. Holmes, Sheriff. et al. Pet. in Error. Mr. C. J. Boatner of counsel for the defendants in error, asked and obtained leave to file a motion to dismiss herein.

288. Mrs. Sarah E. Marshall. vs. H. B. Holmes, Sheriff. et al. Pet. in Error. The argument of this cause was continued by Mr. D. B. Keasbey, of counsel for the plaintiff in error, and Mr. C. J. Boatner, of counsel for the defendants in error, and concluded by Mr. Keasbey, for the plaintiff in error.

Henry E. Reynolds et al. The argument
289 vs. Appeals in Error. of this cause
Robert H. Stockton, Receiver &c. was commenced by Mr. A.
J. Hemsley, of counsel for the plaintiffs in error,
continued by Mr. Frederic W. Stevens, of coun-
sel for the defendant in error and concluded
by Mr. C. J. Woods Jr. of counsel for the plain-
tiffs in error.

Charles W. Higgins et al. The argument of
290. vs. Appellants this cause was
William D. Kniffen et al. commenced by
Mr. William A.
Redding, of counsel for the appellants.

Proclamation being made the Court is adjourn-
ed until To-morrow at Twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Samuel B. Chase, James A. Brophy & Henry Wm. County Clerk of Cook County, Illinois
vs
The Massachusetts Home Insurance Company.

1706. Appellants.

Mr. C. K. Offield, of counsel for the appellants, having filed in this Court the following certificate, to wit:

"In the Circuit Court of the United States

for the Northern Division of the Northern District of Illinois.

I, William H. Bradley. Clerks of the Circuit Court of the United States, for said Northern District of Illinois, do hereby certify that in a certain cause pending in said Court wherein The Massachusetts Home Missionary Society was complainant, and Samuel B. Chase, James A. Murphy and Henry Wulf, County Clerk of Cook County, Illinois, were defendants, a final decree was rendered by said Circuit Court on the thirty first day of March, 1890 in favor of said complainant and against said defendants, and that on the said thirty first day of March 1890 said defendants prayed an appeal to the Supreme Court of the United States which was duly allowed.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court in my office in Chicago, in said District this fourteenth day of November. 1890

Wm. H. Bradley, Clerk."

{ Seal }.

moved the Court to docket and dismiss this

cause pursuant to the 9th rule, and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Northern District of Illinois be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

290. Charles W. Higgins et al. vs. William O. Kenyon et al. Appellants. The argument of this cause was commenced by Mr. William C. Keeling, of counsel for the appellants and concluded by Mr. L. C. Ranger, of counsel for the appellee.

294. The International Wood Crown Company vs. Edward S. Gaylord et al. Appellants. This cause was argued by Mr. E. W. Dickerson of counsel for the

Appellant and Mr. Edw'd. Leech and Mr. R.S. Official, of counsel for the appellee.

Solon Humphreys et al.
376. Receivers, etc.
vs. Appellants.
Thomas Mc Kissock. Receiver etc
and
The Wabash, St. Louis & Pacific
Railway Company.
791. vs. Appellant.
Thomas Mc. Kissock, Receiver, etc.

These cases were argued by Mr. F. W. Lehmann, of counsel for the appellants, and Mr. Edward Sheldon, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday April 9th 1891

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
Joseph P. Bradley,
John M. Harlan, Associate
Horace Gray, Justices
Samuel Blatchford,
Henry B. Brown
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The County of Boone, Appellant.
297 vs.
The Burlington and Missouri River R.R. Co. in Nebraska, et al.

This cause was argued by Mr. J. C. Cowin, of counsel for the appellant & by Mr. G. W. Marquett, of counsel for the appellees

The County Court of Scotland County & the Judge thereof. Plffs. in Error.
298. vs.
The United States ex rel. Laura B. Rudge et al., Executors etc.

The argument of this cause was commenced by Mr. John B. Wilson of counsel for the plaintiffs in error.

The United States. Appeal from the Supreme
1496. vs. Appellant. Court of the District of
Annie A. Cole. Columbia.

This cause having been called to the attention of the Court by Mr. Solicitor General Taft, of counsel for the appellant and he having moved the Court to dismiss this cause. Therefore in pursuance of said motion. It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Annie A. Cole ..... This cause was submitted
1486 vs. Appellant. To the consideration of the
The United States. Court on the record and a printed argument by

Mr. W. R. Morris, of counsel for the appellant. Heard on the record by Mr. Solicitor General Ball of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April 10th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
Joseph P. Bradley,
John M. Harlan,
Samuel Blatchford,
Lucius Q. C. Lamar,
Henry B. Brown,
Associate Justices
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr John N. Hutcheson Jr. it is ordered that Charles A. Culbreath, Jr. Esquire of Dublin, State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

	The County Court of Scotland County &c. the Judges thereof.	The argument of this cause was continued
198.	vs. Plffs. in Error.	by Mr. C. C.
	The United States ex rel: James	Hughes, of coun
	B. Dodge et al. Executors etc.	sel for the de

fendant in error, and concluded by Mr. John B. Moore, of counsel for the plaintiffs in error.

	John B. Ball et al	This cause was argued
951.	vs. Plffs. in Error.	by Mr. John B. Kenna
	The United States.	of counsel for the plain

tiffs in error, and Mr. Solicitor General Taft, of counsel for the defendant in error.

	Joseph Wood.	This cause was
581.	vs. Appellant.	argued by Mr. C.
	Augustus A. Brush. Agent etc.	J. Hagerman, of coun

sel for the appellant and by Mr. J. J. Maynard of counsel for appellee.

	Ex parte: In the matter of	This cause was
	Shibuya Jugiro.	argued by Mr.
1632.	Appellant.	J. H. Maynard of

counsel for the State of New York and submitted on a printed argument by Mr. Roger M. Sherman, of counsel for the appellant.

48. Lueck Ling, Appellant vs. The United States.
49. Wan Shing, Appellant vs. The United States.

These cases were submitted to the consideration of the Court on the records and printed arguments to be filed within ten days, by Mr. C. J. Scrimmer, of counsel for the appellants, and Mr. Assistant Attorney General Parker, of counsel for the appellee.

50. John H. A. Griswold. vs. Appellant. Howland E. Hazard et al.

The argument of this cause was commenced by Mr. James C. Carter, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, April, 13th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.

John M. Harlan.

Horace Gray. Associate

Samuel Blatchford. Justices

Lucius Q. C. Lamar.

Henry B. Brown.

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Taft it is ordered that Edward W. Kane, Esquire, of Portland, and Charles E. Littlefield, Esquire of Portland, State of Maine, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus N. Garland it is order-

of that William L. Perry, Esquire, of Little Rock, State of Arkansas, and Charles D. Baker, Esquire of New York City be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. E. Mitchell it is ordered that Robert C. Fisher, Esquire of Washington District of Columbia, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

The Western Electric Company.	Appeal from the Circuit Court of the United States for the Southern District of New York.
259. vs Appellant.	
George W. La Rue.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and

the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that decrees bear in the Courts of the State of New York.

per Mr. Justice Brown.

William J. Wilson. In Error to the Circuit Court
vs. of the United States for the
William J. Barrett. District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and ten per cent. damages in addition to interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Colorado.

per Mr. Justice Blatchford.

Monday April 5th, 1869. Continued

Anthony R. Lathrop, Collector of Customs for the Port and District of Chicago. Plff. in Error. vs. John V. Barwell, Charles B. Barwell, John V. Barwell Jr. John N. Harmon & John D. Chamberlain, co-partners as John V. Barwell & Co. Def. in Error.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

14441

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Blatchford.

Dissenting:

Mr. Justice Grier.

Mr. Justice Gray.

Daniel Wagner, Collector of the Port of New York. vs. Edward Luckemeyer, Carl Schafer & William Schramm. — In Error to the Circuit Court of the United States for the Southern District of New York.

280

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Blatchford

Dissenting: Mr. Justice Brown & Mr. Justice Gray.

Carl Philip Mason, William P. Chapin, Samuel L. Peck, Edward E. Arnold & J. Frank Greene. vs. William H. Robertson, late Collector of the Port of New York. — In Error to the Circuit Court of the United States for the Southern District of New York.

277.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to take further proceedings in conformity with the opinion of this Court.

per Mr. Justice Gray.

271.

Joseph Walsh, Joseph Irig, Adam Sims, August Sprau, Timothe Bouche, J. M. Sarthe, G. Lamarque, A. Block, Dominique Rotje & Thomas Dalton. vs. The State of Louisiana.

In Error to the Supreme Court of the State of Louisiana.

Pffs. in Error.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Louisiana, and was argued by

curiam. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in the cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Joseph Hug. — In Error to the Supreme
278 vs. Pff. in Error. — Court of the State of
The State of Louisiana. — Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Timothé Bouche. — In Error to the Su-
279 vs. Pff. in Error. — preme Court of the
The State of Louisiana. — State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Gray.

Joseph Natal. In Error to the Supreme
274. vs. Pet. in Error. Court of the State of
The State of Louisiana. Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Gray

W. C. Cook, Assignee of
H. P. Lane.
285 vs. Plff. in Error.
George O. Perkins, W. H.
Wright & Timothy W.
Hopkins.

In Error to the
Circuit Court
of the United
States for the
Northern Dis-
trict of Iowa.

This cause came on to be heard on the tran-
script of the record from the Circuit Court of the
United States for the Northern District of Iowa
and was argued by counsel. On consider-
ation whereof, It is now here ordered and
judged by this Court that the judgment of the
said Circuit Court in this cause be, and the
same is hereby, affirmed with cost.

per Mr. Justice Harlan.

H. W. Sanford.
275 vs. Plff. in Error.
D. W. Sanford.

In Error to the Supreme
Court of the State of
Oregon.

This cause came on to be heard on the
transcript of the record from the Supreme
Court of the State of Oregon, and was ar-
gued by counsel. On consideration where-

It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Gibb.

The Northern Pacific Railroad Company.
1557 vs. Petition in Error.
James Holmes.

It is ordered by the Court that the further consideration of the motion to dismiss herein be, and the same is hereby, postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of John Mayfield. Petitioner.

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein and of the argument of counsel in support of the same: It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of John Brayfield Petitioner	On petition for a writ of habeas corpus.

On consideration of the petition of John Brayfield.

It is now here ordered and adjudged by this Court that cause be shown by the Keeper of the House of Correction at Detroit, Michigan before this Court at the City of Washington on the 27th. inst. and, at 12 o'clock noon of that day or as soon thereafter as counsel can be heard why a writ of habeas corpus should not issue as prayed in said petition

per Mr. Chief Justice Fuller.

Annie A. Cole.	Appeal from the Supreme
1436. vs. Appellant.	Court of the District of
The United States.	Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this cause be, and the same is

hereby, remanded to the said Supreme Court, for such further proceedings as to that Court shall seem meet upon the application of either party.

per Mr. Chief Justice Fuller.

Florence L. Fowler, Administratrix of Samuel W. Fowler, deceased. ..... Appellant.
vs.
Robert Hamill.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Fuller.

J. W. Allen, Comptroller of the State of Tennessee. Appellant.
vs.
Pullman's Palace Car Company.

1381. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceeding to be had therein in conformity with the opinion of this Court

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Harlan and
Mr. Justice Brown.

J. W. Allen, Comptroller of the State of Tennessee.		Appeal from the Circuit Court of the United States for the Middle District of Tennessee.
1882.	vs. Appellant.	
Pullman's Palace Car Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice Harlan.
Mr. Justice Brown.

J. W. Davis		In Error to the Supreme
1678	vs. Pff in Error.	Court of the State of
The State of Texas		Texas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The American National Construction Company. Plff. in Error. vs. W. J. Carpenter. Def.

In Error to the Circuit Court of the United States for the Western District of Texas.

This cause having been called to the attention of the Court by Mr. W. Hallett Phillips, of counsel, for the defendant in error, and a stipulation to dismiss this cause having been filed, Therefore, in pursuance of said stipulation It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

1571. Pat. Callan. Pff. in Error, vs. J. W. Crawford, Error etc
1595. J. H. Gregory et al. Pffs. in Error vs. " " " " " " "
1597. Jas. Lawson et al. " " " " " " " " " " "
1598 L. B. Lilleyford et al. " " " " In. J. Day, Serg. and etc.

Mr. A. Taylor Scott, of counsel for the defendants in error, submitted to the consideration of the Court a motion for leave to the Clerk to issue the mandates in these cases.

299. Elias Block & Sons. vs. Pffs. in Error. Andrew W. Darling. On motion of Mr. O. B. Hallam, of counsel for the defendant in error, It is ordered by the Court that this cause be postponed to the foot of the call for Monday next.

1684. The United States vs. Appellant. Schoverling, Daly & Gales. Mr. Albert Comstock, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

Allen Waggoman et al. Appellants.
305. vs.
The New York Belting and Packing Company.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term for stipulation of counsel.

John U. A. Griswold. Appellant.
50. vs.
Rowland G. Hazard et al.

The argument of this cause was concluded by Mr. James B. Carter, of counsel for the appellant, and the cause was submitted on a printed argument by Mr. Elias Merwin and Mr. Samuel Maddox, of counsel for the appellees.

John U. A. Griswold. Appellant.
51 vs.
Rowland G. Hazard et al.
and
John U. A. Griswold. Appellant.
52. vs.
Rowland G. Hazard et al.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. James B. Carter, of counsel for the appellant, and Mr. Elias Merwin

and Mr. Samuel Maddox, of counsel for the defendants in error.

53. John M. A. Grisewood vs. Peff. in Error. Rowland G. Hazard et al.

The cause was argued by Mr. James C. Carter, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Elias Merwin and Mr. Samuel Maddox of counsel for the defendants in error.

Ex parte: In the matter of The Washington & Georgetown Railroad Company. S. Original. Petitioner

The argument of this cause was commenced by Mr. Enoch Totten, of counsel for the petitioner, and continued by Mr. B. C. Cole and Mr. William A. Cook, of counsel for the respondents.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday. April. 14th. 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Clifford Anderson it is ordered that Walter B. Hill, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. O. Claughton it is ordered that Horace S. Oakley, Esquire, of Chicago, State

of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. P. S. Curtis it is ordered that J. Leroy Keating, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Alfred Warchand. Mr. C. W. Horner, in
134 vs. Writ of Error. behalf of counsel for
Josephine Odile Livaudais. the defendant in error suggested

the death of Josephine Odile Livaudais, the defendant in error herein, and submitted to the consideration of the Court a motion to make the heirs of the said Josephine Odile Livaudais, the parties defendants in error.

Ex parte: In the matter of The Washington & Georgetown Railroad Company. Petitioner. The argument of this cause was concluded by Mr. Walter

8 Original.

H. Davidge, of counsel for the petitioner

The Singer Manufacturing Co.
69. vs. Appellant.
W. A. Wright, Comptroller General, et al.

This cause was argued by Mr. Grosvenor Lowry and Mr. George Hillyer, of counsel for the appellant, & Mr. Clifford Anderson, of counsel for the appellees, and submitted for the consideration of the full bench on the record and printed arguments by Mr. Grosvenor Lowry and Mr. George Hillyer, of counsel for the appellant, and Mr. Clifford Anderson, of counsel for the appellees, with leave to counsel to file supplemental printed arguments on or before the 29th. inst. and.

The State of Maine
302. vs. Deft. in Error.
The Grand Trunk Railway Company of Canada.

This cause was submitted to the consideration of a full bench on the record and printed arguments by Mr. Charles E. Littlefield, of counsel for the plaintiff in error, and Mr. A. A. Stroud of counsel for the defendant in error, with leave

To consent to file supplemental printed arguments on or before the 29th inst. next.

303 Jerome C. Manning vs. Pff. in Error. Henry Amy.

This cause was argued by Mr. Jerome C. Manning, of counsel for the plaintiff in error, and Mr. Theodore G. H. Meyer, of counsel for the defendant in error.

304 E. O. Stevenson. vs. Pff. in Error. J. L. Barbour.

This cause was argued by Mr. O. B. Hallam, of counsel for the defendant in error, and submitted on a printed argument by Mr. John G. Carlisle, of counsel for the plaintiff in error.

306 Ellis G. Hughes. vs. Pff. in Error. The Dundee Mortgage & Trust Investment Co., Limited.

307 Ellis G. Hughes. vs. Pff. in Error. The Dundee Mortgage & Trust Investment Co., Limited.

The argument of these cases was commenced by Mr. J.

	Ellis G. Hughes.		H. Dolph, of
308.		v. Pff. in Error.	counsel for
	The Dundee Mortgage & Trust		the plaintiff
	Investment Co., Limited.		in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday April 15th 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray, Associate
Samuel Blatchford, Justices
Lucius L. C. Lamar,
David J. Brewer,
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the order by Mr. George Tucker Bispham it is ordered that John W. Wescott, Esquire, of Camden, State of New Jersey and Louis Wolff, Esquire, of Philadelphia, State of Pennsylvania be admitted to practice as attorneys & counsellors of this Court and they were sworn accordingly.

John O'Neil.
15 vs. Pff. in Error.
The State of Vermont.

Ordered by the Court that this cause be passed on account of the sickness of counsel.

Julia H. McLean et al.
317. vs. Appellants
Ruggles W. Clapp et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

Ellis G. Hughes.
306. vs. Pff. in Error.
The Dundee Mortgage and Trust Investment Co. Limited.

Ellis G. Hughes.
307 vs. Pff. in Error.
The Dundee Mortgage and Trust Investment Co. Limited.

And

Ellis G. Hughes.
308. vs. Pff. in Error.
The Dundee Mortgage and Trust Investment Co., Limited.

The argument of these cases was continued by Mr. J. Percy Keating, and Mr. Thomas De Witt Cuyler, of counsel for the defendant in error and concluded by Mr. J.

W. Dolph, of counsel for the plaintiff in error.

William W. Bosah et al. vs. Joseph B. Wilcox, County Clerk, et al. Appellants. 309. This cause was argued by Mr. George A. Sanders, of counsel for the appellees, and submitted on printed arguments by Mr. H. Dumpsons, of counsel for the appellants, and Mr. C. C. Walker and Mr. O. J. Baily, of counsel for the appellees.

Woodward, Baldwin & Co. vs. James A. Jewell et al. Appellants. 310. This cause was argued by Mr. Walter B. Hill, of counsel for the appellants, and Mr. Clifford Anderson, of counsel for the appellees.

The United States vs. John P. Chichester et al. Plff. in Error. 313. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error. No counsel appeared for

the defendants in error.

Lottie M. Scott et al. vs. Appellants. Brooks, Neely & Co.

314

The argument of this cause was commenced by Mr. Edward Mayes, of counsel for the appellants, and continued by Mr. W. H. Sullivan, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 16th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray,
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

R. H. Brown et al. vs. Appellants Charles W. Crousdale et al. 158. On motion of Mr. A. H. Garland, in behalf of counsel leave is hereby granted the Clerk to issue the mandate in this cause.

The St. Louis & San Francisco R. R. Co. vs. Peff, in Error. Lucy A. McBride et al. 1713. On motion of Mr. A. H. Garland, of coun-

sel for the defendants in error. It is ordered by the Court that this cause be and the same is hereby, advanced, pursuant to the 32d rule.

Jacob Landesman. Appeal from the Circuit
328. vs. Appellant. Court of the United
Mayer Jonasson et al., as States for the Southern
Jonasson and Co. District of New York.

This cause being called for hearing in its reg ular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, ad judged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Lottie M. Scott et al. The argument of this
314. vs. Appellants cause was continued
Brooks, Healy and Co. by Mr. M. V. Sullivan,
of counsel for the ap pellees, and concluded by Mr. Edward Mayer, of counsel for the appellants.

315 The Pennsylvania Railroad Co. vs. Hiram Green and Anna M. Green, his wife, in right of said Anna M. Green. Plff. in Error.

Mr. Louis Mitchell, of counsel for the defendants in error, suggested the death of Anna M. Green and moved the Court to make Samuel K. Robbins, Administrator of the said Anna M. Green, a party defendant in error in this cause. Whereupon, It is now here ordered by the Court that the said Samuel K. Robbins, Administrator of Anna M. Green, deceased, be, and he is hereby made a party defendant in error herein.

315 The Pennsylvania Railroad Co. vs. Hiram Green & Samuel K. Robbins, Admr. etc. Plff. in Error.

The argument of this cause was commenced by Mr. George Tucker Bispham, of counsel for the plaintiff in error. The Court declined to hear further argument.

Morris S. Miller

316. vs. Pet. in Error. In Error to the
Alfred P. Edgerton, John A. Supreme Court
Oberly & Charles Lyman, Com- of the District
missioners United States Ct. of Columbia
in Service

This cause came on to be heard on the tran-
script of the record from the Supreme Court of
the District of Columbia, and the plaintiff in
error having been three times solemnly called
by the Marshal to come into Court and pros-
ecute his writ of error, and failing to appear.
It is thereupon, in pursuance of the 16th rule
of this Court now here ordered and adjudged
by this Court that this cause be, and the same
is hereby, dismissed with costs: and that this
cause be, and the same is hereby, remanded
to the said Supreme Court to be proceeded in
according to law and justice

per Mr. Chief Justice Fuller.

Henry C. Rogers. This cause was submit-
318. vs. Pet. in Error. ted to the consideration
William G. Hamard. of the Court on the

records and printed arguments by Mr. A. J. Vete, of counsel for the plaintiff in error, and Mr. Charles N. Lawrence, of counsel for the defendant in error.

320. Edwin S. Gowler et al. Appts. vs. The Equitable Trust Company.
321. The Equitable Trust Co. appt. vs. Edwin S. Gowler et al.
322. Rose N. Gowler, Appt. vs. The Equitable Trust Company.
323. The Equitable Trust Co. Appt. vs. Rose N. Gowler et al.
324. Sophia Gowler et al. Appts. vs. The Equitable Trust Co.

The argument of these cases was commenced by Mr. W. L. Gross, of counsel for The Equitable Trust Company.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert G. Ingersoll it is ordered that George V. Porter, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered

that W.H. Silfvia, Esquire, of Wausau, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and is duly sworn accordingly.

On motion first made to the Court in this behalf by Mr. J.M. McGowan it is ordered that George P. Spencer, Esquire, of Corning, State of New York, be admitted to practice as an attorney and counsellor of this Court and he duly sworn accordingly.

1573 J.W. Davis. vs. The State of Texas. — Plff. in Error. — Mr. C.A. Ames, of counsel for the defendant in error, moved the Court to grant the Clerk leave to issue the mandate in this cause, which was opposed by Mr. S.P. Phillips, of counsel for the plaintiff in error. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby denied.

318. Henry G. Rogers. vs. William C. Durant. — Plff. in Error. — On motion of Mr. Charles N. Lawrence of counsel for the defendant in er-

nor. Leave is hereby granted time to file an addl. printed argument herein on or before the 21st. inst. ult.

331. Charles Moran, Trustee, Appellant. vs. The Pittsburgh, Cincinnati & St. Louis Railway Co. et al.

Ordered by the Court that this cause be and the same is hereby, continued, until the next term.

per stipulation of counsel.

332. The Edward Manufacturing Company, Appellant. vs. The Wolins Wallpaper Prow Co. et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Hiram Barney, Collector &c. In Error to the Circuit Court
1057 vs. Pff. in Error. of the United States for the
Henry Burdon et ux. Southern District of New York.

This cause having been called by the Marshal of the Court by Mr. Samuel G. Phillips, of counsel for the defendants in error, and he having filed a confession of error and assent that the judgment be reversed. Therefore It is now here ordered and adjudged by the Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Henry Burdon et ux. In Error to the Circuit Court
1010 vs. Pff. in Error. of the United States for the
Hiram Barney Collector &c. Southern District of New York.

This cause having been called by the Marshal of the Court by Mr. Samuel G. Phillips, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause. Therefore, in pursu-

ance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs. per Mr. Chief Justice Fuller.

320 Edwin S. Fowler et al. Appts vs. The Equitable Trust Co.
321 The Equitable Trust Co. Appt. vs. Edwin S. Fowler et al.
322. Rose H. Fowler, Appt. vs. The Equitable Trust Co.
323. The Equitable Trust Co Appt. vs. Rose H. Fowler et al.
324. Sophia Fowler et al. Appts vs. The Equitable Trust Co.

The argument of these cases was continued by Mr. W. L. Gross, of counsel for The Equitable Trust Co. and Mr. Robert T. Ingersoll and Mr. William Ritchie, of counsel for the Fowlers, and concluded by Mr. Gross for The Equitable Trust Co.

John Halsted.
325 vs. Def. in Error.
Sarah A. Buster et al.

The argument of this cause was commenced by Mr. Abram Burlew, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 20th. 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Jay it is ordered that John Maynard Harlan, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Henry Brown it is order-

ed that George W. Curtis and Antonio C. Ashardi, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this day by Mr. William W. Springer it is ordered that Thomas Smith, Esquire, of Warrenton, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this day by Mr. T. L. Burnett it is ordered that Helm Bruce, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William Bybee. In Error to the Cir-
276: vs. Pff. in Error. cuit Court of the
The Oregon & California United States for the
Railroad Company. District of Oregon

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown

William Henderson, Joseph Waldron, Catharine Waldron Henry Waldron et al. ... Appellants. vs. The Carondelet Coal & Coke Company, William B. Burr, Trustee, & Howard A. Blossom. ... Appellees.

Appeal from the Circuit Court of the United States for the Southern District of Illinois.

247.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby dismissed for the want of

jurisdiction . . . . . per Mr. Justice Brewer.

Ethan A. Hitchcock. Appeal from the
248. vs. Appellants. Circuit Court of
The Northwestern Coal & Coke the United States
Company, William E. Burr, for the Southern
Trustee, and Howard A. District of Illi-
Blossom, Receiver etc. nois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Sylvester Pennoyer, G. W. Appeal from the
Mc. Bride & E. L. Welch. Circuit Court of the
1280. vs. Appellants. United States for the
A. P. Mc Dougall. District of Oregon.

This cause came on to be heard on the tran-

copy of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Lamar.

The County of Boone. Appeal from the
297. vs. Appellant. Circuit Court
The Burlington & Missouri River of the United
Railroad Company in Nebraska. States for the Dis-
& Horatio H. Hunnewell. trict of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby affirmed with costs. per Mr. Justice Blatchford.

(Mr. Chief Justice Fuller did not sit in this case or take any part in its decision).

298 The County Court of Scotland County & the Judges thereof. vs. Plffs. in Error. The United States ex rel: James S. Dodge Mary H. Pinckney & Evelyn L. Hill, Executors of William Hill, deceased. In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

246 James J. Hill vs. Appellant. The Chicago & Wisconsin Railroad Company, The Chicago Milwaukee & St. Paul Railway Company, The North Chicago City Railway Company et al. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

The Chief Justice announced that the call of the docket would cease on Friday May 1st.

1244. Alfred Marchand. vs. Pff. in Error. Josephine Adele Duraudais. On consideration of the suggestion of the death of Josephine Adele Duraudais, the defendant in error herein, and the motion of the heirs of the said deceased to be made the parties defendants in error herein, It is now here ordered by the Court that the said heirs, to wit: Charles O. Brisson, Odile K. Brisson, Mrs. J. B. Mathews. Mary A. Lafitte Mrs. Emma Martine Downs. and Jacque de Duraudais Lafitte be, and they are hereby, made the parties defendants in

error in this cause.

per Mr. Chief Justice Fuller.

The United States. — On consideration
684 vs. Appellant. — of the motion to ad
Schoverling, Daly & Gales. — vance this cause,
It is now here or-
dered by the Court that said motion be, and
the same is hereby, denied.

per Mr. Chief Justice Fuller.

1371. Cal Calhoun Plff. in Error vs. [illegible] Defendant. Error to
1595. J. H. Gregory et al. Plffs. in Error vs. " " " " " "
1597. Jos. Lawson et al. " " " " " " " " "
1598. L. Eddyford et al. " " " " Mr. J. Day, Sergeant etc.

On consideration of the motion for leave to
the Clerk to issue the mandates in these cases,
It is now here ordered by the Court that said
motion be, & the same is hereby, denied.

per Mr. Chief Justice Fuller.

E. O. Stevenson. — In Error to the Circuit Court
304 vs. Plff. in Error. — of the United States for the
J. L. Barbour. — District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Kentucky.

per Mr. Chief Justice Taney.

William W. Borah, L. W. Trotter, U. S. Marsh. Calvin Simpson, J. J. Davis, W. B. Herolinger and H. Dumpkins. Appellants.

vs.

Joseph E. Wilcox County Clerk & C. C. Patterson County Collector and Treasurer of Wayne County, et al. Appeals from the Circuit Court of the United States for the Southern District of Illinois.

309.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On

consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

318. The United States. vs. Pff. in Error. John D. Chidester and Logan H. Roots. In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to award a new trial.

per Mr. Chief Justice Waite.

The Pennsylvania Railroad Company. — In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

316. vs. Pff. in Error.

Hiram Green and Samuel K. Robbins, Administrators of Anna M. Green, deceased.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Court of the State of Pennsylvania.

per Mr. Chief Justice Fuller.

	Eustance C. Redfield, & Frank S. Redfield, Executrix & Executor of Heman J. Redfield, deceased, late Collector of the Port of New York.	In Error to the Circuit Court of the United States for the
369.	vs.	Plff. in Error. Southern Dis-
	George G. W. Bartels, Peter A. H. Leonard & Emanuel E. Grancon.	trict of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be and the same is hereby, remanded to the said Circuit Court with a direction to enter judgment for $1500. and interest from November 16, 1863, and for $14.24.75 with interest from January 8, 1864.

Mr. Chief Justice Fuller

1 Orig. Ex parte: In the matter of Thomas Henry Cooper. Petitioner
2 Orig. Ex parte: In the matter of Patrick Boyle. Petitioner
3 Orig. Ex parte: In the matter of George W. Cooper. Petitioner
4 Orig. Ex parte: In the matter of George W. Cooper. Petitioner.

On motion of Mr. Solicitor General Daly, It is ordered by the Court that the argument of these cases be postponed until Monday next.

No. 8. John W. Ross. vs. Appellant
James Wm. Tilyou, Superintendent &c.

On motion of Mr. Assistant Attorney General Barker, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday next after the cases heretofore assigned for that day.

920. Lucius Birdseye vs. Deft. in Error.
Lovina Harper et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. W. Vale and Mr. Phil B. Thompson, in support of the same, and Mr. Ethel Cornwood and Mr. John Hancock, in opposition thereto.

The Louisville Nashville Railway Co. — The motion to
1615. vs. Plff. in Error. dismiss or affirm
William Burk, Sheriff etc. or in the alternative

were submitted to the consideration of the Court on printed arguments by Mr. Helm Bruce and Mr. L. P. Helm, in support of the same, and Mr. G. L. Burnett and Mr. William Lindsay, in opposition thereto.

The Guaranty Trust & Safe Deposit Co. — Mr. William
155. vs. Appellant. A. Maury,
The Green Cove Springs & Melrose in behalf of
Railroad Co. et al. counsel, submitted the

consideration of the Court a motion for leave to the Clerk to issue the mandate in the cause.

Thomas A. Green. — Mr. George L.
245. vs. Plff. in Error. King, in behalf of
The People of the State of Col- counsel, submitted
orado ex rel. L. P. Waroli et al. and to the Court

the Court a motion for leave to the Clerk to issue the mandate in this cause.

John Halsted.
325. vs. Pff. in Error.
Sarah A. Buster et al.

The argument of this cause was continued by Mr. Abram Burlew, of counsel for the plaintiff in error, and Mr. J. C. Bacon, of counsel for the defendants in error, and concluded by Mr. Burlew, for the plaintiff in error.

The Bank of Minnetonka.
327. vs. Pff. in Error.
David J. Mackey.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. B. Vance, of counsel for the plaintiff in error, and Mr. S. C. Higgins, of counsel for the defendant in error.

The St. Paul Plow Works.
329. vs. Pff. in Error.
William Starling.

The argument of this cause was commenced by Mr. W. H. Sanborn, of counsel for the plaintiff in error, and continued by Mr. J. L. Evans, of counsel for the defendant in error.

Proclamations being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday April 21st, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.
John M. Harlan
Horace Gray.
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.

Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

335. Sylvester H. Kneeland. vs. Appellants. Charles L. Luce et al.

and

336. Sylvester H. Kneeland. vs. Appellants. C. L. Luce and Co. et al.

On motion of Mr Charles Brail, of counsel for the appellees, and counsel of counsel for the appellants It is ordered by the Court that these case be, and they are hereby, passed.

	Benjamin Barker Jr. Respondent &c.	Ordered by
3.	vs. Pff. in Error.	the Court that
	The Lake Shore and Michigan	the cause
	Southern Railway Co.	be, and the
		same is here-

by, dismissed.

	George B. Clutto et al.	These cases were
174.	vs. Appellants.	submitted to the con-
	Horace B. Claflin et al.	sideration of the
	(2d)	Court on the records
	George B. Clutto et al.	and printed argu-
175.	vs. Appellants.	ments by Mr. S. A.
	John Mc. Keany et al.	Duncan and Mr.
		J. A. Stillson, of coun-

sel for the appellants, and Mr. David Dudley Field of counsel for the appellees.

	The St. Paul Plow Works.	The argument of this
329.	vs. Pff. in Error.	cause was continued
	William Harling.	by Mr. B. F. Caine, of
		counsel for the de-

fendant in error, and concluded by Mr. W. H. Sanborn, of counsel for the plaintiff in error.

Horace E. Mullan. This cause was argued
330. vs. Appellant. by Mr. John Goode and
The United States. Mr. Eppa Hunton, of
counsel for the appel-
lant. and submitted on a printed argument
by Mr. Assistant Attorney General Mawry.
of counsel for the appellee

Sylvester H. Knee land. This cause was ar-
333. vs. Appellant. gued by Mr. John
Laurence Brothers & Co. M. Butler, of counsel
for the appellant
and Mr. George C. Porter, of counsel for the ap
pellees.

Proclamation being made the Court is adjourned
until to-morrow at twelve O'Clock.

Wednesday, April 22d, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Lyman Trumbull it is ordered that Henry L. Robbins, Esquire, of Chicago, Ills. of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John O. J. Brownell it is ordered that

Wm. Brooke Rawle Esquire, of Philadelphia, State of Pennsylvania, and Wm Stratton Esquire of New York City be admitted to practice as Attorneys and Counsellors of this Court & they were sworn accordingly.

J. Irving Pearce, Assignee &c
Appellant.
vs.
James H. Rice.

Mr. A. J. Crowell of counsel for the appellee, moved the dismissal of the appeal herein

of Ira Poole and moved the Court to make Fred erick L. Wick and Sarah A. Read, Administrators of the estate of the said Ira Poole, parties of billes hereto. Whereupon the Court not being sufficiently advised of and concerning what order to render in the premises took time to consider.

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337. The Central Iowa Railway Company.
vs.
William Price Ex'r &c Holland Defendant.

In Error to the Supreme Court of the State of Iowa.

This cause being called for hearing on the

juries under and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The United States.
339. vs. Appellant.
Robert Barber.

This cause was submitted to the consideration of the Court on the record and printed arguments filed and submitted in case No. 1164 on the docket for the present term between the same parties.

Henry W. Rector.
341. vs. Appellant.
Walida Lipscomb.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, for the reason of counsel.

Sylvester S. Mussett
354. vs. Appellant.
The Bass Foundry & Machine Works.

The cause was submitted to the consideration of the Court on the record and on printed arguments by Mr. John W. Butler, of counsel for the appellant, with leave to counsel for the appellee to file a printed argument on or before the 27th inst. inst., and to counsel for the appellant to file a reply thereto on or before Friday, May 1st.

Pedro Delgado.
vs. Appellant.
Francisco Chavez, Sheriff &c.

The argument of this cause was commenced by Mr. William M. Springer, of counsel for the appellant, continued by Mr. John H. Knaebel, of counsel for the appellee, and concluded by Mr. Thomas Smith, of counsel for the appellant.

Robert Barrow.
1690. vs. Appellant.
William D. Boyle, Sheriff &c.

Appeal from the Circuit Court of the United States for the District of Vermont

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Vermont, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute his appeal, and failing to appear, it is thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. W. W. Stickney, of counsel for the appellee, now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Robert Pitkin.
1690 v. Appellant
William C. Taylor Deputy Sheriff etc.

On motion of Mr. W. W. Stickney, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

Erie Block & Iron.
339 v. Pltf. in Error
Andrew W. Darling.

The argument of this cause was commenced by Mr. C. C. Williams of counsel for the pltf. in error.

Thursday. April 23d. 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Associate Justices

Proclamation being made the Court is adjourned.

On motion first made to the Court in this behalf by Mr. Linden Kent it is ordered that Irwin B. Linton, Esquire, of Washington, District of Columbia, and James O. Bell, Esquire, of Brooklyn, State of New York be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Edmund Wetmore it is ordered that Jacob A. Custer, Esquire, of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

J. Irving Pearce Assignee etc. Appellant.
362. vs.
James H. Rice. ... On consideration of the motion to make Frederick L. Wilk and Sarah A. Reed, Administrators of Ira Poole deceased, parties appellee herein. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Pedro Delgado. ... A motion to ad-
1648. vs. Appellant. mit the appellant
Francisco Chavez, Sheriff etc. to bail was submitted to the consideration of the Court by Mr. William M. Springer, Mr. B. H. Gildersleeve and Mr. [illegible] Smith, in support of the same, and Mr. John H. Knabel in opposition thereto.

The Charlotte Columbia & Augusta Railroad Co
342 vs. Eff. in Error
Wade Hampton Gibbes Receiver etc.

On motion of Mr. Lucius Holt, of counsel for the plaintiff in error it is ordered by the Court that this cause be, and the same is hereby continued until the next term.

Blair Stock Co. of Iowa
397 vs. Eff. in Error.
Andrew W. Darling

The argument of this cause was continued by Mr. C. C. Hallam of counsel for the plaintiffs in error, and Mr. McKeehan, of counsel for the defendant in error, and concluded by Mr. C. C. Hallam, of counsel for the plaintiffs in error.

The Bank of Lewisburg.
338 vs. Appellant.
James Baumgardner Jr., Surviving Trustee.

The cause was argued by Mr. A. C. Snyder, of counsel for the appellant and Mr. James Baumgardner Jr. and Mr. D. B. Brennan, of counsel for the appellee.

The Equitable Life Assurance Society of the United States.

340 vs. Pff. in Error.

Benjamin F. Pettus, Administrator etc., et al.

The argument of this cause was commenced by Mr. Henry Hitchcock, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April 24th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Hoadly it is ordered that Percy Drumbull, Esquire, of Chicago, Illinois, be admitted to practice as an attorney and counsellor of the Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Hamilton it is ordered that Daniel Perrin Baker, Esquire, of Wichita, State of

Watrous be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Acme Harvester Company. — Appeal from the Circuit Court of the United States for the Northern District of Illinois.

345 — v. — Appellant.

Stephen Martin et al.

This cause having been called to the attention of the Court by Mr. J. H. Pierce, of counsel for the appellant, and an authority of counsel for the appellant to dismiss this cause having been filed. Therefore, in pursuance of said authority, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

John Good. — Appeal from the

330. — v. — Appellant. — Circuit Court

John D. Bailey, Christopher Bailey, Frank Cascaden and William L. Bailey, trading as John D. Bailey & Company. — of the United States for the Eastern District of Pennsylvania.

The cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby dismissed with costs

per Mr. Chief Justice Fuller.

340. The Equitable Life Assurance Society of the United States. vs. Benjamin F. Pettus, Admr. &c. et al. Def. in Error.

The argument of this cause was continued by Mr. Henry Hitchcock of counsel for the plaintiff in error, and Mr. L. C. Krauthoff of counsel for the defendants in error, and concluded by Mr. Hitchcock for the plaintiff in error.

343. The St. Louis Vandalia & Terre Haute Railroad Co. vs. The Terre Haute & Indianapolis Railroad Co. Appellant.

The argument of this cause was continued by Mr. John W. Butler of counsel for the appellant

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, April 27th, 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Associate Justices.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edwin B. Smith it is ordered that John H. V. Arnold, Esquire, of New York City and W. B. Odrum and D. B. Reilly, Esquires, of Brooklyn, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. H. W. Palmer it is ordered that Mr. Edward B. Payne, Esquire, of Wilkes Barre State of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

294 The International Textile Brown Company. vs. Edward L. Gaylord and John L. Williams. Appeal from the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

(Mr. Justice Brewer did not sit in this case and took no part in the decision).

The Illinois Grand Trunk Railway Company. Appellant. vs. J. H. Wade Jr. residuary legatee & Trustee of Sophia H. Wade, dec'd. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

351.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Chief Justice did not participate in the consideration and decision of this case.

The Illinois Grand Trunk Railway Company. Appellant. vs. J. H. Wade Jr. residuary legatee and trustee of Sophia H. Wade deceased. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

352.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

(The Chief Justice did not participate in the consideration and decision of this case).

1388. The Aetna Life Insurance Company, of Hartford, Connecticut, ... vs. ... Plff. in Error. Ada Ward, wife of Charles Ward, (formerly Ada Davey). ... In Error to the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and

interest until paid, at the same rate per annum, that similar judgments bear in the Courts of the State of New Jersey.

per Mr. Justice Lamar.

The Board of County Commissioners of the County of Harper. — In Error to the Circuit Court of the United States for the District of Kansas:

284. vs. Peff in Error.

Ebenezer Peacock, Administrator of Edward Rose, deceased.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Kansas.

per Mr. Justice Lamar.

Ex-parte: In the matter of The Washington & Georgetown Railroad Company.	On petition for a writ of mandamus.
8. Original.	Petitioner.

On consideration of the petition for a writ of mandamus and return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that the writ of mandamus, as prayed in said petition, be, and the same is hereby, awarded commanding the Supreme Court of the District of Columbia, in General Term, to vacate its judgment of June 9, 1890. in favor of Lewis H. Mc. Dade, against The Washington and Georgetown Railroad Company, so far as the same relates to interest upon the judgment of the Special Term of said Supreme Court of December 15, 1888, and to enter a judgment on the mandate of this Court of May 27, 1890. in accordance with its terms, that is to say, a judgment affirming the judgment of the General Term of said Supreme Court of June 28, 1886 with

costs, without more.

per Mr. Justice Bradley.

(Mr. Justice Brewer did not sit in this case or take any part in its decision).

Ellis G. Hughes. In Error to the Cir-
306. vs. Peff in Error. cuit Court of the
The Dundee Mortgage & Trust United States for the
Investment Company, Limited. District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Ellis G. Hughes. In Error to the Cir-
307 vs. Peff in Error. cuit Court of the
The Dundee Mortgage & Trust United States for the
Investment Company, Limited. District of Oregon.

This cause came on to be heard on the Trans-

cript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Ellis G. Hughes. In Error to the Cir
308 vs. Pff. in Error. cuit Court of the
The Dundee Mortgage & Trust United States for the
Investment Company, Limited. District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, & was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

The Mississippi Scott & George Y. Scott.	Appeal from the District Court of the United States for the Northern District of Mississippi.
311. vs Appellants.	
J. B. Healy. L. H. Brooks & H. W. Healy partners under the firm name & style of Brooks Healy and Company.	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and was argued by counsel. On consideration whereof It is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed with costs: And that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the bill without prejudice to any actions at law for the demands claimed.

per Mr. Justice Gibd.

(Mr. Justice Lamar did not sit in this case or take any part in its decision).

John L. Bell & Robert E. Boutwell. vs. The United States.

1851. Pffs. in Error.

In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to quash the indictment and take such further proceedings in relation to the defendants below as to justice may appertain. per Mr. Chief Justice Taney Mr. Justice Grier Mr. Justice Nelson & Mr. Justice Curtis dissenting.

Lucius Birdseye. vs. Rowena Shaffer & C. Clive and John Mc. Clane

930. Pffs. in Error.

In Error to the Circuit Court of the United States for the Western District of Texas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and on a motion to dismiss which was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The Guaranty Trust & Safe Deposit Company.

156. vs. ..... Appellants.

The Green Cove Springs and Melrose Railroad Co., et al.

On consideration of the motion for leave to the Clerk to issue the mandate in this cause It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Thomas A. Green.

245. vs. Pff. in Error.

The State of Colorado ex rel: L.P. Marsh et al.

On consideration of the motion for leave to the Clerk to issue the mandate in this cause,

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

The Leadville Coal Co. et al. vs. Appellants. / William Mc Creery et al.

543. On consideration of the motions to dismiss or affirm herein, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

The Louisville Water Co. vs. Plff. in Error. / William Clark, Sheriff &c.

1615. On consideration of the motions to dismiss or affirm or to advance in this cause, It is now here ordered by the Court that the motions to dismiss or affirm be, and the same are hereby, denied, and that the motion to advance be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day. It is

further ordered that a new citation returnable on the 25th day of May, 1891. be issued directed to William Tyree, as Committee etc. of the defendant in error.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Thomas Henry Cooper. 9. Original. ——— Petitioner. It is ordered by the Court that this cause be, and the same is hereby assigned for argument on the second Monday of the next term immediately preceding the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Schooner W. C. Sayward etc. Thomas H Cooper owner. 699 vs. Appellant. The United States. It is ordered by the Court that the mandate in this cause do not issue until so specifically ordered.

per Mr. Chief Justice Fuller.

Benjamin Barker Jr.
Assignee.
2. vs. Pff. in Error.
The Lake Shore & Michigan
Southern Railway Company.

It is ordered by
the Court that
this cause be, and
the same is here
by, continued
until the next
term.

per Mr. Chief Justice Fuller.

John O'Neil
15 vs. Pff. in Error.
The State of Vermont.

It is ordered by the Court
that this cause be,
and the same is here
by, continued until
the next term.

per Mr. Chief Justice Fuller.

Daniel Magone, Collector etc.
880. vs. Pff. in Error.
Edward Luckemeyer et al
&c

On motion of
Mr. Solicitor Gen
eral Taft, of
counsel for the
plaintiffs in
error, leave is
hereby granted
the Clerk
to issue the mandates in these cases.

A. G. Seeberger, Collector etc.
1111. vs. Pff. in Error
John V. Farwell & Company.

	The United States	In Error to the Cir-
358.	vs	Cuit Court of the Unit-
	William Ball & Henry	ed States for the Dis-
	W. Daniel.	trict of Oregon.

This cause having been called to the attention of the Court by Mr. Solicitor General Clark, of counsel for the plaintiff in error, and a motion to dismiss this cause having been filed. Therefore, in pursuance of said motion it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

	The United States.	In Error to the Circuit
359.	vs	Court of the United
	William Ball, Henry W.	States for the District
	Daniel & W. S. Powell.	of Oregon.

This cause having been called to the attention of the Court by Mr. Solicitor General Clark, of counsel for the plaintiff in error, and a motion to dismiss this cause having been filed. Therefore, in pursuance of said motion

It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Curiam.

Eugene Debs, Jim Phillips and Adalin Thomas. vs. The United States.

1729. Plffs. in Error.

Mr. Stevenson, Gen'l Dept. of counsel for the defendant in error

Travis filed in open Court the following certificate, to wit:

"In the Circuit Court of the United States.
For the Middle District of Alabama.

The United States of America. against Eugene Debs, Jim Phillips & Adalin Thomas. } No. 57. In Ejectment.

Be it remembered, that I, Joseph W. Dunnick, Clerk of the Circuit Court of the United States for the Middle District of Alabama, hereby certify that on the 9th day of December, A.D. 1890, judgment was duly rendered in the above entitled cause of The United States of America against Eugene Debs, Jim Phillips and Adalin Thomas in said Court in

favor of the United States of America for the sum sued for: and that a writ of error was duly sued out by said defendants on February 5, 1891. and on said last named date duly allowed by the Hon. Don A. Pardee Circuit Judge of the United States for the Fifth Judicial Circuit who on the same date signed the citation thereon all which duly appears on file and of record in my office to such clerk.

In testimony whereof, I the said Joseph W. Dimmick, Clerk as aforesaid have hereunto set my hand and caused the seal of said Court to be affixed, at Montgomery, Alabama in said District this the 28th day of March A.D. 1891

(Seal).

J. W. Dimmick.
Clerk U. S. Circuit Court Middle Dist. of Alabama."

moved the Court to docket and dismiss this cause, pursuant to the 9th rule: and it appearing to the Court that the plaintiffs in error have failed to have this cause filed and docketed in conformity with the rules of this

Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Middle District of Alabama be, and the same is hereby, dockated and dismissed, and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Fuller

Ex parte: In the matter of Jefferson Wilson. Original. Petitioner.

This cause was submitted to the consideration of the Court on printed arguments to be filed on or before Friday next by Mr. J. Atticus Johnson, of counsel for the petitioner and Mr. Solicitor General Taft of counsel for the respondents.

1524. Julius Ballin, Elias Joseph et al. vs. Daniel Magone, Collector of the Port of New York. Plffs. in Error. In Error to the Circuit Court of the United States for the Southern District of New York

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Maury, of counsel for the defendant in error, and he having filed confession of error and motion that the judgment herein be reversed. Therefore, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

David Wagoner, Collector of the Port of New York. Pff. in Error.
vs.
1525. Julius Catlin Elias Joseph et al. Defts.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error and he having moved the Court to dismiss this cause. Therefore in pursuance of

said motion it is ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Dickson.

Ex parte: In the matter of John Mayfield. Petitioner

15. Original

This case was submitted to the consideration of the Court on printed arguments to be filed on or before Friday next by Mr. Van H. Manning and Mr. Duane E. Fox, of counsel for the petitioner, and Mr. Assistant Attorney General Maury, of counsel for the respondent.

William P. Henderson. Plff. in Error.

1730. vs.

Lucy Lester

Mr. John Johns, of counsel for the defendant in error, having filed in open Court the following certificate, to wit,

"In the United States Court for the Indian Territory. First Division

Lucy Lasater Plaintiff.

vs.

John Jackson et al. Defendants.

I, William Nelson, Clerk of the United States Court for the Indian Territory do hereby certify that in a certain cause pending in said Court wherein Lucy Lasater is complainant and John Jackson, William Angel, Thomas Angel, Andrew H. Norwood, Isley Lasater, William C. Henderson, Frank Washington and Mrs. Frank Washington are ~~fifty~~ defendants, a final decree was rendered by said United States Court for the Indian Territory on the 8th day of October A.D. 1889, in favor of said complainant Lucy Lasater, and against said defendants William C. Henderson, Isley Lasater and Andrew H. Norwood. And that on the 22d. day of October A.D. 1889 said defendant, William C. Henderson prayed a writ of error to the Supreme Court of the United States which was duly allowed.

In testimony whereof I hereunto subscribe my name and affix

{Seal} the seal of the United States Court for the Indian Territory at Muse

copies this 30th day of April A.D. 1891.

W. Nelson, Clerk."

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the plaintiff in error has failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the United States Court for the Indian Territory be, and the same is hereby, docketed and dismissed with costs: and that this cause be, & the same is hereby, remanded to the said Court to be proceeded in according to law and justice

per Mr. Chief Justice Fuller.

Rudolph Eichorn. Pff. in Error.
1637 vs.
William H. Hoover et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. D. S. Worthington, Mr. O. A. Bruce in support of the same and Mr. W. E. Morris, Mr. E. B. Hamilton and Mr. B. B. Cole in opposition thereto.

The Kingston Coal Co.
1563 vs. Pet. in Error.
Frederick Bulkam Myers et al.

Mr. O. Nichols, of counsel for Myers et al, moved the Court to vacate the judgment entered herein on the 24th day of November, 1890 and for leave to file the record and docket the cause which was opposed by Mr. H. W. Palmer, of counsel for the Kingston Coal Company. Whereupon, it is now here ordered by the Court that said motion be, and the same is hereby, overruled.

The Albuquerque National Bank.
1709 vs. Appellant.
Jose L. Perea, Sheriff etc.

Mr. Thomas Smith, of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

The East Tennessee, Virginia & Georgia Railway Co.
1407 vs. Pet. in Error.
Joseph S. Frazier et al.

A motion for an award of damages in this cause was submitted to the consideration of the Court on printed arguments by Mr. H. H.

Suggestn in support of the same, and Mr W. H. Baker in opposition thereto.

335 Sylvester A. Kneeland. vs. Appellant. Charles L. Luce et al. Ordered by the Court that these cases be, and they are hereby, continued in to the next term.

336 Sylvester A. Kneeland. vs. Appellant. C. L. Luce & Company et al.

420 W. B. Crotter vs. Appellant. B. Lowenstein & Bro. et al. Mr. A. H. Garland, of counsel for the appellant submitted to the consideration of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari in this cause.

310 Woodward, Baldwin & Co. vs. Appellants. Daniel A. Jewell et al. On motion of Mr. J. Hubley Ashton, it is ordered by the Court that counsel for appellants do file a supplemental brief herein on or before Friday next.

Lucien Birdseye. In Error to the Circuit
921 vs. Plff. in Error. Court of the United States
E.G. Hickerson et al. for the Western District of Texas.

This cause having been called to the attention of the Court by Mr. J. M. Vale, and it appearing to the Court that a stipulation has been entered into by counsel for the respective parties that this cause abide the decision in the case of Lucien Birdseye, Plaintiff in Error vs. Theresa Shaffer et al. No. 920. October Term 1890. Therefore in pursuance of said stipulation it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Lucien Birdseye. In Error to the Circuit Court
922 vs. Plff. in Error. of the United States for the
Martha A. Rogers et al. Western District of Texas.

This cause having been called to the attention of the Court by Mr. J. M. Vale, and it appearing to the Court that a stipulation has been entered into by counsel for the respective parties that

this cause abide the decision in the case of Lucius Birdseye Plaintiff in Error vs Bourne Shaffer et al. No. 920. October Term 1890. Thereupon, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction. per Mr. Chief Justice Fuller.

362. A. Irwin Pearce, Assignee etc. vs. James H. Rice. Appellant. On motion of Mr. Frank W. Hackett, in behalf of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

1672. Harris A. Smiley vs. Augustus J. Brush, Jr. et al. Appellants. Mr. Irwin B. Linton, in behalf of counsel for the appellee submitted to the consideration of the Court motion to dismiss or affirm or advance in this cause.

James P. Mercein
vs. Appellant.
Augustus A. Brush. Agent &c.

Mr. Francis C. Ludlow, of counsel for the appellee, submitted to the consideration of the Court a motion to docket and dismiss this cause.

Mary E. Wood.
1571. vs. Plff. in Error.
J. W. Beach.
and
L. W. Ard.
1572. vs. Plff. in Error.
Alexander Brandon.

On motion of Mr. B. W. Perkins, of counsel for the plaintiffs in error, It is ordered by the Court that the judgments of dismissal entered in these cases on the 8th day of December, 1890, be, and the same are hereby, vacated, and leave granted to file the transcripts of records and docket the cases.

John P. Denny et al.
1601. vs. Plffs. in Error.
Circuit and Hatch.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John Johns of counsel for the plaintiffs in error, and Mr. W. Hallett Phillips,

of counsel for the defendants in error.

Charles W. Parker et al. Appellants
1658. vs.
Lucinda L. Ormsby.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Walter J. Lamb, in support of the same, and Mr. L. C. Burr in opposition thereto. A motion for leave to file a supersedeas bond was submitted to the consideration of the Court by Mr. L. C. Burr, in support of the same, and Mr. Walter J. Lamb, in opposition thereto.

2 Orig. Ex parte: In the matter of John L. Boyce, Petitioner.
3 Orig. Ex parte: In the matter of George W. Boyce, Petitioner.
14 Orig. Ex parte: In the matter of George W. Boyce, Petitioner.

It is ordered by the Court that these cases be, and they are hereby, assigned for argument on the second Monday of the next term after No. 9. Original.

The New Silver Mining Co.
vs. Pff. in Error.
The People of the State of New York.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

353

The St. Louis, Vandalia and Terre Haute Railroad Co.
vs. Appellants.
The Terre Haute and Indianapolis Railroad Co.

The argument of this cause was continued by Mr. George Hoadly, of counsel for the appellee.

343

Proclamation being made the Court is adjourned until to-morrow at 12 o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar,
David J. Brewer,
Henry B. Brown,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Order.

The Reporter having represented that owing to the number of decisions at the term, it will be impracticable to put the reports in one volume, It is, therefore, now here ordered that he publish an additional volume for this year, pursuant to section 681 of the Revised Statutes.

per Mr. Chief Justice Fuller.

James J. Slocum. ... On consideration
vs. Appellant ... of the motion to
Augustus A. Brush, Agent &c. ... docket and dismiss
herein, It is now
here ordered by the Court that said motion be,
and the same is hereby, denied.
per Mr. Chief Justice Cutler.

Harris A. Smiley ... On consideration
1673. vs. Appellant. ... of the motion to ad-
Augustus A. Brush, Agent &c. ... vance the cause,
It is now here order-
ed by the Court that said motion be, and the
same is hereby, granted and the cause assign-
ed for argument on Monday the 11th. day of
May next. per Mr. Chief Justice Cutler.

James J. Slocum. ... Ordered by the
vs. Appellant ... Court that this
Augustus A. Brush, Agent &c. ... cause be docketed
and assigned for
argument on Monday the 11th day of May next.
per Mr. Chief Justice Cutler

Henry Thomas Coghlan. . . . . On motion of Mr.
352. vs. Appellant. W. B. Earle, of coun-
The South Carolina R.R. Co. sel for the appella-
It is ordered by
the Court that this cause be, and the same is
hereby, continued until the next term.

Ex parte: In the matter of Mr. Hector M. Hu-
Peter J. Claassen. chings, of counsel
Petitioner. for the petitioner
presented a pe-
tition for a writ of mandamus. Whereupon, It
is now here ordered by the Court that notice
be served of said petition and the hearing
fixed for Thursday next.

John M. Graucis Ordered by the Court that
355. vs. Appellant. this cause be, and the
The United States. same is hereby continued
until the next term, per
stipulation of counsel.

The St. Louis, Vandalia & Terre Haute Railroad Co.
343. vs. Appellant.
The Terre Haute & Indianapolis Railroad Company.

The argument of this cause was concluded by Mr. Lyman Trumbull, of counsel for the appellant.

Louis Stein, Executor etc.
344. vs. Appellant.
The Belleville Water Supply Company.

The cause was argued by Mr. W. Hallett Phillips, of counsel for the appellant and Mr. O. P. Bestor, and Mr. R. A. Hamilton, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday April 27th 1892.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller. Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer
Henry B. Brown.
John W. Wright, Esquire. Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened.

Russell Wheeler et al. Appeal from the Circuit Court
377 vs. Appellants of the United States for the Nor-
H. Gilbert Hart & Co. thern District of New York.

It appearing to the Court that an authority of counsel for the appellants to dismiss this cause has been filed. Therefore in pursuance of said authority. It is now here ordered, adjudged and decreed by this Court that this appeal be, & the

same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

The State of Nebraska. On motion of Mr.
4. Original — vs. — Complainant. H. J. Way, in be-
The State of Iowa. half of counsel
for the complain-
ant, leave is hereby granted to file replication
thereto.

The Union Pacific Railway Co. On motion of Mr.
349. vs. Pff. in Error. Harry Hubbard,
William B. Reddon. of counsel for the
plaintiff in error,
It is ordered by the Court that this cause be, and
the same is hereby, continued until the next term
on account of sickness of counsel.

The Utah & Northern Rail- In Error to the Su-
way Company preme Court of the
354. vs. Pff. in Error. Territory of Idaho.
Lunnis M. Palmer et al.

This cause having been called to the attent-
ion of the Court by Mr. Harry Hubbard, of

counsel for the plaintiff in error, and he having moved the Court to dismiss the cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

And it is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Idaho

per Mr. Chief Justice Fuller

356. The Gregory Consolidated Mining Company et al. vs. Plffs. in Error. Lewis W. Starr.

357. The Gregory Consolidated Mining Company et al. vs. Plffs. in Error. Lewis W. Starr.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. C. W. Poole for Mr. William Wallace Jr. of counsel for the plaintiffs in error, and Mr. W. G. Sanders, of counsel for the defendant in error

Rinehold H. Kleinschmidt et al. vs. The Second National Bank of Helena.

361. Pffs. in Error. In Error to the Supreme Court of the Territory of Montana.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs:

And it is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

The Pall River, Warren &c Providence Railroad Co. vs. Page, Richardson &c Co.

346. Pffs. in Error. This cause was argued by Mr. J. N. Bowen Jr. of counsel for the plaintiff in error and Mr. A. A. Ramey, of counsel for the defendants in error

Maria C. Evans et al.
347. vs.
The State National Bank
of the City of New Orleans.

The argument of the cause was continued by Mr. N. J. Hay, of counsel for the plaintiffs and continued by Mr. James McConnell, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday. April 30th 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this today by Mr. Attorney General Miller it is ordered that Edward Mitchell, Esquire of New York City, be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

1742. Eugene Arnheim. vs. William Foster et al. Appellant

Mr. E. M. Plumpton, of counsel for the appellees, having filed an

open Court the following certificate to wit:

"Circuit Court of the United States

For the Southern District of New York.

I, Timothy Coffin Clerk of the above named Court do hereby certify that in a certain cause pending in said Court wherein Eugene Arthur is complainant and William Custer, William A. Wells and Sala Simons, composing the firm of Custer, Wells and Simons are defendants a final decree was rendered by said Court on the 15th day of February, A.D. 1886, in favor of the said defendants, and against the said complainant, and afterwards, to wit, on the 3d day of March A.D. 1886, the said complainant Eugene Arthur, prayed an appeal to the Supreme Court of the United States which was duly allowed.

In testimony whereof, I have hereunto set my hand & affixed the seal of the said Circuit Court this twenty fourth day of February in the year of our Lord, one thousand, eight hundred and eighty eight, and of the Independence

[Seal]

of these United States the one hundred & twelfth.

Timothy Griffith, Clerk."

moved the Court to docket and dismiss this cause, pursuant to the 9th rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of New York be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Fuller.

77. Thomas L. King, Aff in Error, vs. John W. Noane.
895. Pattie T. Clay, Appellant vs. David J. Guild et ab.
1085. Lucy B. Greenman, " " " Pattie T. Clay et ab.
1091. David J. Guild, " " " Pattie T. Clay.

On motions of Mr. A. H. Garland, in behalf of counsel, leave is hereby granted the Clerk to issue the mandates in these cases.

Alexander Moses.
351 vs. Pff. in Errr. Ordered by the Court that this cause be, and the same is hereby, continued until the next term.
The State of Mississippi

J. Mc. Gregor Adams.
360 vs. Pff. in Errr. Ordered by the Court that this cause be, and the same is hereby, continued until the next term.
The Williams Hamping Co. et al.

David H. Reynolds et ab.
364 vs. Appellants This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. W. Comstock, of counsel for the appellants, and Mr. W. W. Ross and Mr. G. B. Rose of counsel for the appellee.
Thomas Burns et ux.

George H. Hilton.
365 vs. Appellant. Appeal from the Circuit Court of the United States for the District of Nebraska.
The Otoe County National Bank et al.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. per Mr. Chief Justice Fuller.

Lelia Gage.
366. v. Appellant.
Spencer Kellogg et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term on account of the sickness of counsel.

Charles Walbay.
367 v. Appellant.
Edward E. Root.

Appeal from the Circuit Court of the United States for the Western District of Missouri.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court

that this appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller

368 John Mc Creary vs. The Pennsylvania Canal Company. Appellant. Ordered by the Court that this cause be, & the same is hereby, continued until the next Term, per Stipulation of counsel.

347 Maria P. Evans et al. vs. The State National Bank of the City of New Orleans. Appellants The argument of this cause was continued by Mr. James Mc. Connell, of counsel for the appellee and concluded by Mr. Augustus H. Garland of counsel for the appellants.

Ex parte: In the matter of Peter J. Claassen. Petitioner. The petition for a writ of habeas corpus, was argued by Mr. Hector M. Hitchings, in support of the same and Mr. Edward Mitchell and Mr. Attorney General Miller, in op-

position thereto, and by Mr. George F. Edmunds as amicus curiae.

348. Edward L. Mc. Clain vs. Andrew Orkwayer et al. — Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

1688. John Mc. Ross vs. James Mc. Gilvra, Superintendent etc. — The argument of this cause was commenced by Mr. George W. Kretchmey, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, May 1st, 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan
Horace Gray, Associate
Samuel Blatchford, Justices
Lucius Q. C. Lamar,
David J. Brewer,
Henry B. Brown,
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. W. Putnam it is ordered that Moses Williams and Charles A. Williams, Esquires, of Brookline, State of Massachusetts, be admitted to practice as an attorneys and counsellors of this Court and they were sworn accordingly

363. The Saint Clothing Co. Limited. vs. H. B. Glover and Co. Appellant. On motion of Mr. Charles Brown, of counsel for the appellant, and consent of Mr. G. W. Hampton, of counsel for the appellee: It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

13 Original. Ex parte: In the matter of George W. Dupre. Petitioner. On motion of Mr. W. P. H. Robinson, of counsel for the petitioner, and consent of Mr. Solicitor General Hoyt, for the United States.

14 Original. Ex parte: In the matter of George W. Dupre. Petitioner.

It is now here ordered by this Court that the petitioner George W. Dupre be released from custody on giving bail in the sum of $2500.00 in each case: the bonds to be approved either by the Circuit Judge for the Fifth Circuit or the Judge of the District Court of the United States for the Eastern District of Louisiana.

	The Schooner Sylvia Handy etc.		On motion of
378.	vs.	Appellants.	Mr. Solicitor
	The United States.		General Platt
			of counsel

for the appellee. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term and assigned for argument immediately after No. 9. Original.

	Moses Williams, Assignee etc.		Mr. H. W. Put
375	vs.	Pff. in Error.	nam, of counsel
	John Heard et al.		for the defend
			ants in error

suggested the death of Albert G. Heard, one of the defendants in error herein, and moved the Court to make John Heard Administrator of the said Albert G. Heard, a party defendant in error. Whereupon, It is now here ordered by the Court that the said John Heard, Administrator of Albert G. Heard, deceased, be, and he is hereby, made a party defendant in error in this cause.

376. The United States vs. Pff. in Error R.B. Bryan, Administrator of the Estate of Daniel Chaplin, deceased. vs. The Oregon Railway and Navigation Company. In Error to the Circuit Court of the United States for the District of Oregon.

This cause having been called to the attention of the Court by Mr. Solicitor General Phillips, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

369. C.W. Martin. vs. Appellant Edward Barbour. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W.W. Page and Mr. C.B. Page, of counsel for the appellant, and Mr. Luther R. Pike, of counsel for the appellee.

370. The American Net & Twine Co. vs. Plff. in Error. Roland Worthington, Collector &c.

371. John Sparhawk et al. Assignees &c. vs. Appellants. Charles D. Yerkes, Jr. et al.

372. John Sparhawk et al. Assignees &c. vs. Appellants. Shreve Ackley et al.

And

378. The Fire Insurance Association, Limited. vs. Plff. in Error. John W. Wickham Jr. et al.

Ordered by the Court that these case &c, &c they are hereby, passed until the next term, per Stipulation of counsel.

1683. John W. Ross. vs. Appellant. James Mc. Intyre, Superintendent &c.

The argument of this cause was continued by Mr. George W. Kirkaway, of counsel for the appellant, and Mr. Assistant Attorney General Parker, of counsel for the appellee and concluded by Mr. Kirkaway for the appellant.

Moses Williams, Assignee &c. This cause was
375. vs. Sff. in Error. argued by Mr.
John Heard et al. C. A. Williams,
and Mr. Moses
Williams, of counsel for the plaintiff in error and
Mr. H. W. Williams of counsel for the defendants
in error.

Proclamation being made the Court is adjourned until
Monday, May 11th, at twelve o'clock.

Monday, May 8th. 1871.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.

Joseph P. Bradley.

John M. Harlan.

Horace Gray. Associate

Samuel Blatchford. Justices

Lucius L. C. Lamar

David J. Brewer

Henry B. Brown.

John W. Wright, Esquire, Marshal.

James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Charles G. Paine it is ordered that George A. Hooper, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Miss Emma M. Gillett it is ordered

that Marilla M. Ricker of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that Sidney Thubt, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is ordered that J. B. Agnew, Esquire, of Clarion, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Horner it is ordered that Guy M. Horner, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Steam Tug E. A. Packer" her tackle &c, John Scully, Claimant.

286. vs. Appellant.

The New Jersey Lighterage Company.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with instructions to proceed therein in conformity with the opinion of this Court,

per Mr. Justice Brown.

George B. Cluett, J. W. Alfred Cluett & Robert Cluett. — Appeal from the Circuit Court of the United States for the Southern District of New York.

174. vs. Appellants.

Horace B. Claflin, John Claflin, Edward B. Bates, William L. Dunn, Dexter W. Force, Horace G. Fairchild, Daniel Robinson, Solomon Linn et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

(Mr. Justice Blatchford did not sit in this case and took no part in its decision).

George B. Cluett, J. W. Alfred Cluett & Robert Cluett. — Appeal from the Circuit Court of the United States for the Southern District of New York.

175. vs. Appellants.

John Mc. Meany. Ed. Blisters & Mack & William M. Richardson.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

(Mr. Justice Blatchford did not sit in this case and took no part in its decision).

The United States		Appeal from the District Court
1117	vs. Appellant.	of the United States for the
Henry C. Ewing.		Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that

this cause be, and the same is hereby, remanded to the said District Court with directions to vacate the judgment heretofore rendered and enter a new judgment in conformity with the opinion of this Court.

per Mr. Justice Brown.

The United States.

1154 vs. Appellant.

Edward J. Mc. Dermott. Appeals from the Circuit

& Court of the United States

Edward J. Mc. Dermott for the District of Kentucky.

1608 vs. Appellant.

The United States.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and on appeal and cross-appeal, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said Cir-

cuit Court with directions to vacate the judgment heretofore rendered, and to enter a new judgment in conformity with the opinion of this Court.

per Mr. Justice Brown.

The United States
1151. vs. Appellant.
Samuel Adams Crum

Appeal from the District Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said District Court with directions to enter a new judgment in conformity with the opinion of this Court.

per Mr. Justice Brown.

	The United States	Appeal from the District Court
1164	vs. Appellant.	of the United States for the Mid-
	Robert Barber.	dle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, modified by deducting the sum of $1080, and, as so modified, affirmed. per Mr. Justice Brown.

	The United States	Appeal from the District Court
1244	vs. Appellant.	of the United States for the Nor-
	O. J. Van Duzee.	thern District of Iowa.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that

the decree of the said District Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said District Court with directions to enter a new judgment in conformity with the opinion of this Court.

per Mr. Justice Brown.

The United States		Appeal from the District Court
357.	vs. Appellant.	of the United States for the
Robert Barber.		Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said District Court with directions to enter a new judgment in conformity with the opinion of this Court.

per Mr. Justice Brown.

Mr. Justice Bradley dissents.

287. Henry E. Reynolds, Georgianna L. Reynolds, Henry E. Wilbur, Harry A. Wilbur, Margaret D. O'Reilly, Elizabeth M. O'Reilly, Margaret C. Delmar, Elizabeth L. Sprague vs. John R. Thayer. Plffs. in Error. In Error to the Court of Chancery of the State of New Jersey.

Robert G. Stockton, Receiver of the New Jersey Mutual Life Insurance Company.

This cause came on to be heard on the Transcript of the record from the Court of Chancery of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Chancery in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Woodward, Baldwin and Co., a firm composed of William A. Baldwin, Christopher P. Baldwin and Reginald F. Woodward

310 vs.

Daniel A. Jewell, Elizabeth S. Myrick, Mrs. Elizabeth Daniel, Seth P. Myrick and Mrs. Eliza P. Jones.

Appeal from the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed so far as respects the parties interested in the land conveyed to Seth P. Myrick by the deed of February 6, 1852: that otherwise it be reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree against Daniel A. Jewell for the amount due from him, and a decree of foreclos-

ure and sale of the three hundred and fifty-three acres of land conveyed to Mrs. Daniel by the deed of February 3, 1879.

It is further ordered that one-half of the costs of this appeal be paid by the appellants and the other half charged as costs in the foreclosure against the last named tract.

per Mr. Justice Brewer

(Mr. Justice Bradley was not present at the argument of this case and took no part in its decision).

135 John Halstead. vs. Plff. in Error. Sarah A. Buster & Mary A. Mc Cue (late Mary A. Buster)

In Error to the District Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

(The Chief Justice and Mr. Justice Bradley took no part in the consideration and decision of this case).

Edmund P. Dwight, John C. Dutilh & Sam'l W. Wright, Executors of Isaac S. Waterman, deceased. vs. Plffs. in Error. Edwin A. Merritt, Collector of the Port of New York. — In Error to the Circuit Court of the United States for the Southern District of New York.

281.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

James W. P. Gleason. vs. Plff. in Error. The Virginia Midland R.R. Co. — In Error to the Supreme Court of the District of Columbia

287.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to order a new trial and to take further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Lamar.

Dissenting:
Mr. Justice Brewer.

309. Jerome B. Manning. Plff. in Error
v.
Henry Amy.

In Error to the Superior Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court that the judgment of the said Superior Court in the cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Lamar.

(Mr. Justice Bradley did not sit in this case or take any part in its decision).

Sylvester H. Knibaud. — Appeal from the Circuit Court
333 — to — Appellant. — of the United States for the
Laurence Brothers & Co. — District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum, that similar decrees bear in the Courts of the State of Indiana. per Mr. Justice Lamar

The St. Paul Plow Works		In Error to the Circuit Court
339.	vs.	Dff. in Error.	of the United States for the
William Starling.			District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

per Mr. Justice Blatchford.

(Mr. Justice Bradley did not sit in this case or take any part in its decision).

Ex parte: In the matter of		On consideration
Peter J. Claasen		of the motion for
vs. Original.	Petitioner.	leave to file a pe-
		tition for a writ

of mandamus herein and the motion of the United States to set aside the supersedeas and

day of proceedings, and of the argument of counsel thereupon heard as well in support of, as against the same.

It is now here ordered by the Court that said motions be, and the same are hereby, denied: and it is further ordered that the Circuit Court of the United States for the Southern District of New York, or any justice or judge thereof, may, in its or his discretion admit the defendant to bail, after the service of the citation on the writ of error herein, in such amount as may be fixed.

per Mr. Justice Blatchford.

(Mr. Justice Bradley did not sit in this case or take any part in its decision).

Pullman's Palace Car Company, Plff. in Error, v. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued

by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Gray.

Dissenting:
Mr. Justice Bradley
Mr. Justice Field
Mr. Justice Harlan.

(Mr. Justice Brown not having been a member of the Court when this case was argued took no part in its decision).

Pullman's Palace Car Company. vs. H. H. Hayward, Treasurer of the County of Allen et al. — Appeal from the Circuit Court of the United States for the District of Kansas.

38. Appellant.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here

ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

Dissenting:

Mr. Justice Bradley.
Mr. Justice Field and
Mr. Justice Harlan.

(Mr. Justice Brewer not having been a member of the Court when this case was argued took no part in its decision).

The Attorney General of the Commonwealth of Massachusetts

1126. vs. Appellant. Appeals from the Circuit Court of the United States for the District of Massachusetts

The Western Union Telegraph Company and

The Western Union Telegraph Company

1127 vs. Appellant.

The Attorney General of the Commonwealth of Massachusetts.

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This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; each party to pay one half of the costs in this Court: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for the amount of the tax found due by the Circuit Court but applying the sum paid into Court, and computing interest on the balance, in accordance with the opinion of this Court

per Mr. Justice Gray.

Dissenting:

Mr. Justice Field

Mr. Justice Harlan

The Attorney General of the Commonwealth of Massachusetts — Appeals from
1128 — v. — Appellant. — the Circuit
The Western Union Telegraph Co. — Court of the

The Western Union Telegraph Company. vs. The Attorney General of the Commonwealth of Massachusetts. Appellant.

1129

United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts on appeal and cross appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, each party to pay one-half of the costs in this Court: and that this cause be and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for the amount of the tax found due by the Circuit Court, but applying the sum paid into Court, and computing interest on the balance, in accordance with the opinion of this Court

per Mr. Justice Gray.

Dissenting: Mr. Justice Field & Mr. Justice Harlan

The Attorney General of the Commonwealth of Massachusetts

130 vs. Appellant. Appeal from the Circuit Court of the United States for the District of Massachusetts.

The Western Union Telegraph Company.

&

The Western Union Telegraph Company.

131 vs. Appellant.

The Attorney General of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, each party to pay one-half of the costs in this Court; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for the amount of the tax found due by the Circuit Court, and ap-

ploy the sum found into Court, and computing interest on the same in accordance with the opinion of this Court.

per Mr. Justice Gray.

Dissenting:
Mr. Justice Field &
Mr. justice Harlan.

The Bank of Commerce
vs.
David J. Mackey.

In Error to the Circuit Court of the United States for the District of Indiana.

327. Eff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to enter judgment for the plaintiff on the second and fourth counts

per Mr. Justice Gray.

	The Equitable Life Assurance Society of the United States		In Error to the Circuit Court of
340.		vs.	The United States for the Western
	Benjamin F. Lillie, Administrator of Alice Louise Kennedy, deceased, & Henry L. Kennedy.	Deft. in Error.	District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Justice Gray.

	Joseph T. Wood,		Appeal from the Cir-
1681.		vs.	cuit Court of the
	Augustus A. Brush, Agent & Warden of Ling Ling Prison, State of New York.	Appellant.	United States for the Southern Dis- trict of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

(Mr. Justice Gray was not present at the argument of this case, and took no part in its decision).

Stubuy a Jugoro
vs. Appellant
Augustus O. Brush, Agent & Warden of Sing Sing Prison, State of New York.

Appeal from the Circuit Court of the United States for the Southern District of New York.

632

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the

decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

(Mr. Justice Gray was not present at the argument of this case and took no part in its decision).

Horace E. Mullan. ... Appeal from the
330. ... vs. ... Appellant. ... Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Justice Harlan.

W. W. Lent et al. ... In Error to the
1114. ... vs. ... Plffs. in Error. ... Supreme Court
Charles Pilsbow Tax Collector ... of the State of
of the City and County of San ... California.
Francisco et al.

Monday, May 11th, 1891. Continued

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Dissenting:

Mr. Justice Field.

Louis Stein, Executor of the estate of Albert Stein, deceased.

vs.

The Bisbee Water Supply Company.

Appeal from the Circuit Court of the United States for the Southern District of Alabama.

344

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause

be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Ezra Block & Sons. In Error to the Circuit
vs. Court of the United States
Austin W. Curling. for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Kentucky.

per Mr. Justice Harlan.

Gertrude K. Hardin. In Error to the Circuit Court
vs. of the United States for the
Conrad H. Gordan. Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter judgment for the plaintiff in conformity with the opinion of this Court.

per Mr. Justice Bradley.

Dissenting:

Mr. Justice Brewer

Mr. Justice Gray

Mr. Justice Brown.

167. Charles H. Mitchell v. Jabez G. Swale, John S. Bennett, Frank S. Bennett and Conrad N. Jordan. — In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of

Illinois, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, & the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the plaintiff in conformity with the opinion of this Court

per Mr. Justice Bradley.

Dissenting:

Mr. Justice Brewer
Mr. Justice Gray and
Mr. Justice Brown.

Solon Humphreys & Thomas
E. Hutt, Receivers of the Wabash,
St. Louis & Pacific Railway Com-
pany et al. Appellants.

vs.

Thomas Mc. Hiscock, Receiver etc.
of the Wabash, St. Louis & Pacific Rail-
way Company. Appellant.

vs.

Thomas Mc. Hiscock, Receiver etc.

Appeals from
the Circuit
Court of the
United States
for the South-
ern District
of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, on separate appeals and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the petition of intervention.

per Mr. Justice Gibbs.

Charles M. Higgins and John Gicanelba. ... Appellants.
290 ... vs. ...
William D. Kniffel & Herman Esser ... Appellees.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered,

adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Wan Shing, Appellant. Appeal from the Circuit Court
vs. of the United States for the
The United States Northern District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Field.

458. Lowe Chuy, Appellant. Appeal from the Circuit Court
vs. of the United States for the
The United States Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Field.

Dissenting:

Mr. Justice Brewer.

Hoo Quong Yok. — Appeal from the Circuit Court
vs. — of the United States for the
The United States. — Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Fuller.

Sun Choy. Appeal from the Circuit Court
533 vs. Appellant. of the United States for the
The United States. Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr Chief Justice Fuller.

Chan Bing Chan. Appeal from the Circuit Court
534 vs. Appellant. of the United States for the
The United States. Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause

be, and the same is hereby, affirmed.

per the Chief Justice Fuller.

Lee Sich. Appeal from the Circuit Court
585 vs. Appellant. of the United States for the
The United States Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed

per the Chief Justice Fuller.

Yung Do. Appeal from the Circuit Court
639 vs. Appellant. of the United States for the
The United States. Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On

consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr. Chief Justice Fuller.

...ee Kuran. Appeal from the Circuit Court
vs. Appellant. of the United States for the
...e United States. Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Fuller.

...e Chong. Appeal from the Circuit Court
vs. Appellant. of the United States for the
...e United States. Northern District of California.

This cause came on to be heard on the trans-

copy of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

Luis Sola Cluss, Appellant, vs. Appellee. The United States. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

Lang Kum Ching. vs. The United States. Appellant. Appeal from the Circuit Court of the United States for the Northern District of California.

No 3

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Fuller.

Lang Ching. vs. The United States. Appellant. Appeal from the Circuit Court of the United States for the Northern District of California.

No 5

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be,

and the same is hereby affirmed.

per Mr. Chief Justice Fuller.

Amendments to the Rules.

Ordered, That the following be adopted as Rules of this Court under the act approved March 3, 1891, entitled "An act to establish Circuit Courts of Appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes".

Strike out "Rule 35," and insert instead there of the following:

35.

Assignment of Errors.

1. Where an appeal or a writ of error is taken from a District Court or a Circuit Court direct to this court, under section 5 of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes" approved March 3, 1891, the plaintiff in error or appellant shall file with the clerk of the court below, with his petition for the writ of error or ap-

filed an assignment of errors, which shall set out separately and distinctly each error asserted and intended to be urged. No writ of error or appeal shall be allowed until such assignment of errors shall have been filed. When the error alleged is to the admission or to the rejection of evidence, the assignment of errors shall quote the full substance of the evidence admitted or rejected. When the error alleged is to the charge of the court, the assignment of errors shall set out the part referred to literatim verbis, whether it be in instructions given or in instructions refused. Such assignment of errors shall form part of the transcript of the record, and be printed with it. When this is not done counsel will not be heard, except at the request of the Court: and errors not assigned according to this rule will be disregarded, but the Court, at its option, may notice a plain error not assigned.

2. The plaintiff in error or appellant shall cause the record to be printed according to the provisions of Sections 2, 3, 4, 5, 6 and 7 of Rule 10,

Appeals and Writs of Error.

1. An appeal or a writ of error from a Circuit Court or a District Court direct to this Court in the cases provided for in sections 5 and 6 of the act entitled "An act to establish Circuit Courts of Appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes" approved March 3, 1891, may be allowed, in term time or in vacation, by any Justice of this Court, or by any Circuit Judge within his Circuit, or by any District Judge within his District; and the proper security to be taken and the citation signed by him, and he may also grant a supersedeas and stay of execution or of proceedings pending such writ of error or appeal.

2. Where such writ of error is allowed in the case of a conviction of an infamous crime, or in any other criminal case in which it will lie under said sections 5 and 6 the Circuit Court or District Court, or any Justice or Judge thereof, shall have power, after the citation is signed, to admit the accused to bail in such amount as may be fixed.

37.

Cases from Circuit Court of Appeals.

1. Where, under section 6 of the said act, a circuit court of appeals shall certify to this Court a question or proposition of law, concerning which it desires the instruction of this Court for its proper decision, the certificate shall contain a proper statement of the facts on which such question or proposition of law arises.

2. If application is thereupon made to this Court that the whole record and cause may be sent up to it for its consideration, the party making such application shall, as a part thereof, furnish this Court with a certified copy of the whole of said record.

3. Where application is made to this Court under section 6 of the said act to require a case to be certified to it for its review and determination, a certified copy of the entire record of the case in the Circuit Court of Appeals shall be furnished to this Court by the applicant, as part of the application.

58.

Interest Costs and Fees.

The provisions of Rules 23 and 24 of this Court in regard to interest and costs and fees shall apply to writs of errors and appeals and writs under the provisions of sections 5th to 9th of the said act.

Order.

Ordered, That under section 5 of the act approved March 3, 1891, entitled "An act to establish Circuit Courts of Appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States and for other purposes." The Territories of Alaska and Arizona are assigned to the Ninth Judicial Circuit. And the Territories of New Mexico, Oklahoma, and Utah are assigned to the Eighth Judicial Circuit.

Order.

Ordered, That Rule 67 of the Rules of Practice in Equity, as amended at December term 1861, be amended by inserting after the words "in special instances": the words "in which

instance it shall be taken down by a Stenographer and be put into type-writing or other writing: and by adding the following at the end of the amendment to Rule 67 of the Rules of Practice in Equity promulgated at December Term, 1869: "The expense of the taking down of depositions by a Stenographer and of putting them into type-writing or other writing shall be paid in the first instance by the party who makes the examination or cross-examination of the witness, as the case may be, and shall be imposed by the Court, as part of the costs upon such party as the Court shall adjudge should ultimately bear them."

The East Tennessee, Virginia and Georgia Railway Co.
vs. Pff. in Error.
1407. Joseph B. Frazier et al.

On consideration of the motion for an award of damages

in this cause and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same

is hereby, denied.

per Mr. Chief Justice Fuller

W. E. Trotter.
1420 vs. Appellant.
B. Lowenstein & Bros. et al.

On consideration of the suggestion of diminution of the record and motion for a writ of certiorari in this cause. It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded as prayed, and the question of costs incident thereto reserved to the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

Rudolph Eichorn
1637 vs. Pet. in Error.
William H. Hoover et al.

On consideration of the motions to dismiss or affirm in this cause, and of the argument of counsel thereupon heard, as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller

The Albuquerque National Bank.
1702 vs. Appellants.
Jose L. Perea, Sheriff etc.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Fall River, Warren & Providence Railroad Co.
346 vs. Pff. in Error.
Page Richardson & Company.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument next term.

per Mr. Chief Justice Fuller.

William Caldwell.
1541. vs. Pff. in Error.
The State of Texas.

The motion to dismiss in this cause was resubmitted to the consideration of the Court on the record and printed arguments heretofore filed, by order of the Court.

Henry J. Rogers.		In Error to the Circuit Court
318	vs. Pff. in Error.	of the United States for the
William G. Purcell.		Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The Bank of Lewisburg.		Appeal from the District
358	vs. Appellant.	Court of the United
James Brumgardner Jr.		States for the District
surviving trustee.		of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the

decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The Essex Public Road Board. ..... Pff. in Error.
vs.
Jacob Skinkle. ..... Def. in Error.

In Error to the Supreme Court of the State of New York.

262

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Elon A. Marsh & Wm Ward Lafever. ..... Pff. in Error.
vs.
Nichols, Shepard and Co. ..... Def. in Error.

In Error to the Circuit Court of Calhoun County, State of Michigan.

136

This cause came on to be heard on the transcript of the record from the Circuit Court of

Calhoun County, State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the writ of error, in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

1524 Julius Ballin et al. vs. Plffs. in Error. / David Wagner, Collector &c. — On motion of Mr. Assistant Attorney General Maury, It is ordered by the Court that leave be granted the Clerk to issue the mandates in these cases.

And

1525 David Wagner, Collector &c. vs. Plff. in Error / Julius Ballin et al.

And

1351 John C. Ball et al. vs. Plffs. in Error. / The United States.

451 William H. Robertson, late Collector of the Port of New York. vs. Plff. in Error. / Henry Herriman, Charles Sterne-bach & Abraham Sternbach. — In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

William H. Robertson, Collector		In Error to the Circuit
of the Port of New York.		Court of the United
1886.	vs. Pff. in Error.	States for the Southern
Frederic Paturel.		District of New York.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Jerome Bernheimer, Sanford Bernheimer, Meyer H. Bernheimer & Marcus A. Bettman.		In Error to the Circuit Court of the United States for the Southern District of New York.
704	vs. Pffs. in Error.	
William H. Robertson, Collector of the Port of New York.		

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Maury, of counsel for the defendant in error, and he having filed a confession of error and consent that the judgment herein be reversed. Therefore, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller

John Johnson		In Error to the Circuit Court of the United States for the Southern District of New York
947	vs. Pff. in Error	
William H. Robertson, Collector of the Port of New York.		

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Maury, of counsel for the defendant in error and he having filed confession of error and consent that the judgment herein be reversed, Therefore, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

The St. Louis & San Francisco Railway Company. Plff. in Error.
vs.
Lucy Mc. Bride et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. G. Britton, Mr. A. B. Browne and Mr. George A. Peck, of counsel for the plaintiff in error, and Mr. A. H. Garland, of counsel for the defendants in error.

R. H. Lindsay, Receiver et al.
1721 vs. Appl'ts & Plffs. in Error.
The First National Bank of Shreveport, Louisiana et al.

Mr. A. H. Garland of counsel for the appellants & plaintiffs in error,

submitted to the consideration of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari in this cause.

The Leadville Coal Co. et al.
1543. vs. Appellants
William Mc. Creery et al. trustees.

Mr. C. B. Babcock and Mr. C. D. Hine, of counsel for the

appellees submitted to the consideration of the Court a motion to advance this cause.

The Washington & Georgetown Railroad Company.
137 of O. C. 1889. vs. Plff. in Error.
Lewis A. Mc. Dade.

A motion to correct the judgment and mandate

of this Court in this cause was submitted to the consideration of the Court by Mr. W. L. Cole, Mr. B. B. Cole and Mr. W. A. Cook in support of the same, and leave granted Mr. W. D. Dav-

idge and Mr. Lucien Cotton to file brief in opposition thereto.

	Newell D. Clark.		On motion of Mr.
116.	vs.	Pff. in Error.	William A. McKenney, in behalf of counsel, leave is hereby granted the Clerk to issue the mandates in these cases.
	James L. Rowe, Admr. &c.		
	vs		
	The Pennsylvania Railroad Co.		
315.	vs.	Pff. in Error.	
	Hiram Greew et al.		

	Robert W. Waterman.		Mr. William A.
570.	vs.	Appellant.	McKenney, in behalf of counsel for the appellee, suggested the
	James M. Banks Executor		
	of Abbie L. Waterman, dec'd.		

death of Robert W. Waterman, the appellant in this cause and moved the Court for an order, under the 15th rule, to make the proper representatives parties: Whereupon, It is now here ordered by the Court that unless the proper representatives of the said Robert W. Waterman, deceased, as aforesaid, shall voluntarily be-

some parties within the first ten days of the ensuing term of this Court the appellee shall be entitled to have the appeal dismissed: Provided, however, That a copy of this order shall be printed in some newspaper of general circulation in the State of California for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

Joseph Wood. ... On motion of Mr.
1581. ... vs. ... Appellant. ... C. B. Dabor, of coun-
Augustus A. Crush, Agent etc. ... sel for the appellee,
et al ... leave is hereby
Stubing a Jugiro ... granted the Clerk
1632 ... vs. ... Appellant. ... to issue the usual
Augustus A. Brush, Agent etc. ... rules in these cases.

The United States. ... On motion of Mr.
5. Original ... vs. ... Complainant. ... Edgar Mann, of
The State of Texas. ... counsel for the
complainant,

leave is granted him to file certain documentary testimony and maps in this cause, subject to exceptions thereto by counsel for the de-

feudant at the hearing.

1886 Richard Mc. Lish. vs. Off in Error. D. B. Roff et al. On motion of Wm. W. Hallett Phillips, of counsel for the plaintiff in error, It is ordered by the Court that the cause be, and the same is hereby, dismissed, pursuant to the 32d Rule.

1886 George Ralston, ... Appellant. vs. The British & American Mortgage Co. Limited & Wm. B. Shattuck. Mr. W. Hallett Phillips, in behalf of Mr. James Lowndes, of counsel for the appellee, suggested the death of George Ralston, the appellant in this cause, and moved the Court for an order, under the 15th rule, to make the proper representatives parties: Whereupon, It is now here ordered by the Court that unless the proper representatives of the said George Ralston, deceased, as aforesaid, shall voluntarily become parties within the first two days of the ensuing term of this Court, the appellee shall be entitled to have the appeal dismissed: Cros-

that a copy of this order shall be printed in some newspaper of general circulation in the State of Louisiana, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

David J. Hennessey. Mr. W. D. Morris, of counsel for the appellant,
1103. ... vs. ... Appellant. moved the Court for
George V. Bacon et al. leave to file a petition
for a rehearing in this cause at the next term.
Whereupon, It is ordered by the Court that said motion be, and the same is hereby, denied.

Henry H. Porter. Mr. Henry Crawford,
280. O. 1886. — vs. — Appellant. of counsel for the ap-
The Pittsburgh Bessemer pellant, submitted
Steel Company et al. to the consideration
of the Court a
motion for an order of attachment against the appellees to compel the payment of costs incurred by appellant in this cause in this Court, and leave was granted Mr. A. G. Riddle to file a brief in opposition thereto

within one week.

The United States
vs. Appellants.
Patrick Mahony & Andrew Pearson, late co partners trading as Mahony & Pearson.

Mr. Assist Bryant of counsel for the appellee, having filed in open Court the following certificate, to wit:

"In the Court of Claims.

I, John Randolph, Assistant Clerk of the Court of Claims, do hereby certify that in a certain cause pending in said Court wherein Patrick Mahony and Andrew Pearson late co partners trading as Mahony and Pearson were claimants, and the United States were defendants, a judgment was rendered by said Court on the 15th day of June, 1890, in favor of said claimants and against said defendants, and that on the 8th day of September, 1890, said defendants prayed an appeal to the Supreme Court of the United States, which was duly allowed.

In testimony whereof, I hereunto subscribe my

Name and affix the seal of
(Seal) said Court of Claims, this
9 day of May, 1891
John Randolph.
Dep. Clerk U. S. Court of Claims.

moved the Court to docket and dismiss this cause pursuant to the 7th rule: and it appearing to the Court that the appellant has failed to cause the cause filed and docketed in conformity with the rules of this Court. It is now hereordered and adjudged by this Court that this appeal from the Court of Claims be and the same is hereby, docketed and dismissed: And that this cause be, and the same is hereby, remanded to the said Court of Claims to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

James J. Slocum. } This cause was
1739. vs Appellant. } argued by Mr.
Augustus A. Bruch, Agent &c. } George A. Hoyser,
of counsel for the
appellant. The Court declined to hear counsel
for the appellee.

James J. Slocum		Appeal from the Circuit Court of the United States for the Southern District of New York.
1739	vs. Appellant.	
Augustus A. Brush, Agent & Warden of Sing Sing Prison, New York.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Harris A. Smiley		This cause was argued by Mr. Charles F. Brush, of counsel for the appellee. No counsel appeared for the appellant.
1672	vs. Appellant.	
Augustus A. Brush, Agent &c.		

Harris A. Smiley. Appeal from the Cir
1672 vs. Appellant. cuit Court of the
Augustus A. Brush, Agent United States for
& Warden of Sing Sing the Southern Dis
Prison, New York. trict of New York.

This cause came on to be heard on the tran
script of the record from the Circuit Court of
the United States for the Southern District of
New York, and was argued by counsel. On
consideration whereof, It is now here ordered,
adjudged and decreed by this Court that the
decree of the said Circuit Court in this cause
be, and the same is hereby, affirmed with costs.
per Mr. Chief Justice Fuller.

James S. Slocum. On motion of
1789 vs. Appellant Mr. Eugene
Augustus A. Brush, Agent etc. H. Salor, of
counsel for
Harris A. Smiley the appellee,
1672 vs. Appellant, leave is here
Augustus A. Brush, Agent etc. by granted the Clerk to

issue the mandates in these cases.

The Chief Justice announced that the Court would adjourn for the term on Monday. May 25th.

Proclamation being made the Court is adjourned until Monday, the 25th instant, at twelve o'clock.

Monday, May 25th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Martin W. Sutton, Chief Justice
Stephen J. Allen.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray Justices.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. B. Henderson it is ordered that J. R. Stubbs, Esquire, of Wichita, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. A. H. Garland it is ordered that Cuse A. Voorhies, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. McKenney it is ordered that James M. Bole, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

David H. Reynolds, Levi K. Springer & Samuel C. Halley,		Appeal from the Circuit Court of
567.	vs.	the United States
Thomas Burns and Martha	Appellants.	for the Eastern Dis-
C. Burns, his wife		trict of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court

that this appeal be and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Brown.

John B. Denny, J. B. Stapleton and P. P. Wallace. — In Error to the Circuit Court of the United States for the Northern District of Texas.

1661. vs. — Affs. in Error.

Brown and Shatri. — Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Brown.

Ex parte: In the matter of John Mayfield. Original. — Petitioner. } On petition for a writ of habeas corpus.

15.

On consideration of the petition for a writ of habeas corpus, the return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the writ of habeas corpus issue as prayed in said petition.

per Mr. Justice Brown.

John Norman. Appellant. Appeal from the Supreme
1270 vs. Court of the Territory of
Cary C. Harrod. Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho, on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Idaho.

per Mr. Justice Brown.

The United States		Mr. Justice Brown read
1244.	vs. Appellant.	the following opinion
A. J. Van Duzee.		in this case:

In this case the Court refused to allow fee for entering orders for trial, recording verdict etc., in 38 criminal cases on the ground that it was covered by the docket fee of $3.00. Upon our attention being called to it, we have reconsidered that paragraph and think they should be allowed. We will therefore file a new opinion modifying that paragraph.

Ex parte: In the matter of Jefferson Wilson.	}	On petition for a
11. Original ..... (Petitioner)	}	writ of habeas corpus.

On consideration of the petition for a writ of habeas corpus, of the return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Brewer.

	The Gregory Consolidated Mining Company and Henry E. Harrington		In Error to the Supreme Court of the Territory of Montana.
356	vs.	Plffs. in Error	
	Lewis W. Starr.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and ten per cent. damages, in addition to interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Montana: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana, per Mr. Justice Brewer.

	The Gregory Consolidated Mining Company & Henry E. Harrington		In Error to the Supreme Court
357	v.	Plffs. in Error.	of the Territory
	Lewis W. Starr.		of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Justice Brewer.

A. Henry Schultz, Julius Schultz & Henry Black.		In Error to the Circuit Court of the
280.	vs.	United States for
Eben D. Jordan, James C. Jordan & Eben D. Jordan Jr.	Plffs. in Error.	the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in

this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Pedro Delgado. Appeal from the
16 48. vs Appellant. Supreme Court of
Francisco Chaves, Sheriff of Santa the Territory of
Fe County, Territory of New Mexico. New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

(Mr. Justice Bradley was not present at the argument and took no part in the decision of this case).

The St. Louis & San Francisco Railway Company.			In Error to the Circuit Court of the United States for the Western District of Arkansas.
712.	vs.	Pff. in Error.	
Lucy Mc. Bride, Claude L. Mc. Bride, Susan A. Mc. Bride & Elizabeth H. Mc. Bride.			

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas.

per Mr. Justice Brewer.

Sylvester H. Kimball.			Appeal from the Circuit Court of the United States for the District of Indiana.
384	vs.	Appellant.	
The Bass Foundry and Machine Works.			

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Indiana.

per Mr. Justice Lamar.

	Alfred Marchand		In Error to the
124	vs.	Pffs. in Error.	Circuit Court
	Charles O. Griffon, Odile O. Griffon, Mrs. J. A. Mottram, et al., heirs of Josephine Odile Livaudais, deceased.		of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here

ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Lamar.

(The Chief Justice took no part in the decision of this case).

(Mr. Justice Brown was not a member of the Court when this case was argued and took no part in its decision).

375. Moses Williams, as Assignee in bankruptcy of John Heard, Augustine Heard and Albert G. Heard. vs. John Heard, Augustine Heard and John Heard, Administrator of Albert G. Heard, deceased. Pets. in Error. In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial

Court in this cause be and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Judicial Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Lamar.

(Mr. Justice Bradley took no part in the decision of this case).

133. Mollie M. Albright, William E. Oyster and David K. Oyster. Appellants. v. George Oyster, Margaret Oyster, Margaretta Oyster, Executrix of Simon Oyster, deceased, George Oyster, Admr. of Simon K. Oyster, dec'd. and Iola E. Oyster.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this

Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court.

per Mr. Justice Lamar.

Mollie H. Oyster, William E. Oyster and David K. Oyster.
vs. Appellants.
George Oyster, Margaret Oyster, Margaretta Oyster, Executrix of Simon Oyster, dec'd. George Oyster Admr. of Simon K. Oyster, dec'd. and Iola E. Oyster.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

154

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit

Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

A.W. Martin
369 v. Appellant.
Emerid Barbour.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

The United States.
1218. v. Appellant.
The Dallas Military Road Company, James K. Kelly, C. H. Thornbury, Eleanor Martin et al.

Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, in so far as it dismisses the bill: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to allow the plaintiff to reply to, and join issue on, the pleas.

per Mr. Justice Blatchford.

The United States.			Appeal from the
1219	vs.	Appellant.	Circuit Court of
The Oregon Central Military			the United States
Road Company, B. J. Pengra,			for the District
C. E. Pengra, G. W. Colby et al.			of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the de-

cree of the said Circuit Court in this cause be, and the same is hereby, reversed, in so far as it dismisses the bill: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to allow the plaintiff to reply to, and join issue on, the pleas.

per Mr. Justice Blatchford.

The United States.		Appeal from the
1248.	vs. Appellant.	Circuit Court of
The Willamette Valley and		the United States
Cascade Mountain Wagon		for the District
Road Company et al.		of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed so far as they dismiss the bill as to the defendants who put in pleas: And that this cause be, and the same is hereby, remanded to the said Circuit Court with a

direction to allow the plaintiff to reply to, and join issue on, the pleas.

per Mr. Justice Blatchford.

The United States
vs. Appellant.
James M. Kelly.

1444

Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

The United States
vs. Appellant.
David J. Cooper.

1445

Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

The United States, Appellant. vs. Matilda B. Rogers, Administratrix of the estate of Alexander Rogers, deceased.

Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the

decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

The United States. Appeal from the Circuit Court
1447. vs. Appellant. of the United States for the
William Grant. District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

The United States. Appeal from the Circuit Court
114 to Appellant of the United States for the
William Floyd. District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings, not inconsistent with the opinion of this Court.

per Mr. Justice Blatchford.

The Insurance Company Appeal from the
of North America, Circuit Court of the
111 to Appellant. United States for
The Hibernia Insurance the Eastern Dis-
Company of New Orleans. trict of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree dismissing the bill, with costs.

per Mr. Justice Gray.

(Mr. Justice Brewer and Mr. Justice Brown not having been members of the Court when this case was argued, took no part in the decision).

The City of New Orleans, Plff. in Error, vs. The Louisiana Construction Company, Limited, Jonas B. Lewaris, Isidore Newman and S. B. Reed, U. S. Marshals. In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

1435

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of

Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the City of New Orleans.

per Mr. Justice Gray.

(Mr. Justice Brewer and Mr. Justice Brown took no part in the decision of this case).

1063. Howard Potter, Appellant vs. James Couch.
1064. William E. Hale, Appellant vs. James Couch & Elizabeth T. Couch.
1065. George E. Johnson, Appellant vs James Couch et al Trustees
1066. Caroline T. Johnson et al. Appellants vs. James Couch.
1067. James Couch, Appellant vs. Caroline E. Couch et al

Appeals from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On con-

sideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court entered in this cause on the 24th day of December A.D. 1888 and the 20th day of March, A.D. 1889 as to the appellants Howard Potter, William B. Nale, Eugene B. Johnson and Caroline B. Johnson, Martha M. Johnson and Ina B. Johnson, by their guardian ad litem Martin N. Kedrick, &c, and the same are hereby, affirmed, and that upon the appeal of James Bouck so much of said decree as adjudged that the trust estate vested in the trustees under the will of Ira Bouck, deceased, expired and ceased at the end of twenty years, after his death, and as adjudged that the said trustees were under no duty or obligation to divide said trust estate at the expiration of said twenty years &c, and the same is hereby, reversed, and that the cause be remanded to the Circuit Court for such further proceedings as may be necessary to carry out this decree.

It is further ordered that the appellants on each appeal, except James Bouck, pay one-fourth of the costs, including the cost of printing the record.

per Mr. Justice Gray.

Mr. Justice Brewer and Mr. Justice Brown took

The Union Pacific Railway Company. vs. Devon L. Botsford. In Error to the Circuit Court of the United States for the District of Indiana.

No. 378.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Indiana.

per Mr. Justice Gray.

Dissenting:

Mr. Justice Brewer and

Mr. Justice Brown.

Ward McAllister Jr. vs. The United States. Appeal from the Court of Claims.

No. 385.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Justice Harlan.

Dissenting:

Mr. Justice Field,
Mr. Justice Gray,
Mr. Justice Brown.

Samuel C. Wingate
vs.
The United States.

Appeal from the Court of Claims.

319.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Justice Harlan.

Presenting:

Mr. Justice Field.
Mr. Justice Gray &
Mr. Justice Brown.

Charles W. Parker and Emma Parker.		Appeal from the Circuit Court of the United States for the District of Nebraska.
1658.	vs. Appellants.	
Lucinda L. Ormsby.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill for want of jurisdiction, unless the plaintiff, by leave of the Court below, within such time as it may prescribe, amends her bill so as to present a case within its jurisdiction. per Mr. Justice Harlan.

59. John W. D. Unicumb vs. Rowland G. Hazard, Rowland Hazard, Elizabeth Hazard, Elizabeth Hazard, Caroline Hazard, Anna Hazard and Lydia Carey.

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a new decree perpetually enjoining the defendants therein, and each of them, from prosecuting any suit, action or proceeding against Unis upon the bond executed by him on the 24th of August, 1861, as one of the sureties of Edwards C. Howard.

Per Mr. Justice Harlan,

Dissenting:

Mr. Justice Brown.

Mr. Justice Bradley and Mr. Justice Brewer did not participate in the decision of this case).

51. John W. A. Brunswick. Appellant. vs. Rowland G. Hazard, Rowland Hazard, Anna Hazard, and Lydia Perry. Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

(Mr. Justice Bradley and Mr. Justice Brewer did not participate in the decision of this case).

	John W. A. Griswold		Appeal from the
52.	vs.	Appellants.	Circuit Court of
	Rowland G. Hazard. Rowland		the United States
	Hazard, Anna Hazard and		for the District
	Lydia Dorry.		of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

Mr. Justice Brewer and Mr. Justice Brown took no part in the decision of this case.

	John W. A. Griswold.		In Error to the Cir
53.	vs.	Defts. in Error.	cuit Court of the
	Rowland G. Hazard. Rowland		United States for
	Hazard, Anna Hazard and		the District of
	Lydia Dorry.		Rhode Island.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Harlan.

Dissenting:

Mr. Justice Brown.

Mr. Justice Brewer and Mr. Justice Brewer did not participate in the decision of this case.

O. R. Crutcher ... In Error to the Court
125. v. Pltf. in Error. of Appeals of the
The Commonwealth of State of Kentucky.
Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky and was argued by

counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, & the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Brantley.

Dissenting:

Mr. Chief Justice Fuller &

Mr. Justice Gray.

(Mr. Justice Brown not having been a member of the Court when the case was argued took no part in its decision).

The Clark Thread Company. — Appeal from the
vs. — Appellant — Circuit Court of
The Williamantic Linen Com- — the United States
pany and The Conant Thread — for the District
Company. — of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New

Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree dismissing the bill of complaint, and to take such further proceedings as may be in conformity with the opinion of this Court.

per Mr. Justice Bradley.

Robert P. Voight, John W. Spindle & William P. Williams, partners, doing business under the firm-name of R.P. Voight & Co. vs. B.P. Wright. Pffs. in Error.

In Error to the Corporation Court of the City of Norfolk, State of Virginia.

92.

This cause came on to be heard on the transcript of the record from the Corporation Court of the City of Norfolk, State of Virginia, & was argued by counsel. On consideration whereof, It is now here ordered and adjudged by

this Court that the judgment of the said Corporation Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Corporation Court for further proceedings to be had therein not inconsistent with the opinion of this Court.

per Mr. Justice Bradley.

(Mr. Justice Brown not having been a member of the Court when the case was argued, took no part in the decision).

The Chicago Distilling Company, Plff. in Error, vs. Rensselaer Stone, Collector of Internal Revenue. In Error to the Circuit Court of the United States for the Northern District of Illinois.

135.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs

and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the plaintiff, and take such further proceedings as may be in accordance with the opinion of this Court.

per Mr. Justice Bradley.

Ex parte: In the matters of John K. Garnett, Thomas D. Stubbs, and William J. Gibson, copartners, composing the firm of Garnett, Stubbs & Co. et al. Original ..... Petitioners

On petition for a writ of prohibition.

On consideration of the petition for a writ of prohibition, of the return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of as against said petition,

It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Bradley.

The Pacific National Bank of Boston.
vs. Pff. in Error.
Mary J. Eaton.

In Error to the Supreme Court Judicial of the State of Massachusetts.

239

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Judicial Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Brewer.

George L. Shaw, Trustee.
vs. Pff. in Error.
Peter Butler, Receiver of the Pacific National Bank of Boston.

In Error to the Circuit Court of the United States for the District of Massachusetts.

240

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Bradley.

Peter Butler, Receiver of The Pacific National Bank of Boston ... vs. Mary J. Eaton. — In Error to the Circuit Court of the United States for the District of Massachusetts.

301. Pff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the

judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the plaintiff in error against the defendant in error for the whole amount sued for in this action, namely, eight thousand dollars, with interest and costs and to take such further proceedings as may be proper in conformity with the opinion of this Court.

per Mr. Justice Bradley.

The Late Corporation of the Church of Jesus Christ of Latter Day Saints et al. Appellants. Appeals from
6/15 vs. the Supreme
The United States Court of the
and Territory of
George Bonney, Henry Dinwoody, Utah.
James Watson and John Clark.
7/15 vs. Appellants
The United States.

The decree entered in this cause on the 19th day

of May 1890, having been set aside by an order of the Court made on the 23d day of May, 1890. It is now, upon further consideration, ordered, adjudged and decreed that the decree of the Supreme Court of the Territory of Utah be affirmed with the following modification, that is to say: that the seventh clause of said decree be changed & modified so as to read as follows:

"7th. And the Court does further adjudge and decree that the late Corporation of the Church of Jesus Christ of Latter Day Saints, having become by law dissolved as aforesaid, there did not exist at its dissolution, and do not now exist, any trusts or purposes within the objects and purposes for which said personal property was originally acquired, as herein before set out, whether said acquisition was by purchase or donation, to or for which said personalty or any part thereof could be used, or to which it could be dedicated, that were and are not, in whole or in part, opposed to public policy, good morals, and contrary to the laws of the United States, and furthermore, that there do not exist any natural persons or any body, association or corporation who are legally entitled to any portion of said personality as cus-

receive an interest in said Church of Jesus Christ of Latter Day Saints, and the said personal property has devolved to the United States: and not being lawfully applicable to the purposes for which it was originally dedicated or acquired, and to which, at the commencement of the suit, it was being devoted by the said corporation and its controlling authorities, the same ought to be limited and appointed to such charitable uses, lawful in their character, as may most nearly correspond to those to which it was originally destined, to be ascertained and defined (unless in the meantime Congress should otherwise order) by reference to a master for due examination, inquiry and report thereon, subject to the approval of the Court: and to be established, administered and carried out in such manner and according to such schemes as may be suggested and reported by said master and approved by the Court. It is further ordered and decreed that until the ascertainment and determination of such uses, and the adoption of such schemes, and such direction be taken for the ultimate funding or investment of the said personal property for the purposes aforesaid, the receiver appointed in

this cause do continue in the custody and the charge thereof, with all accumulations, subject to the further order of the Court and Commissioner with the rents and income of the real estate to the payment of the costs and expenses of this proceeding and of the receivership aforesaid. The reference herein provided for to be made by a separate order].

Whereupon, It is considered, adjudged and decreed that the cause be remanded to the Supreme Court of the Territory of Utah with directions to modify its decree as herein directed, and to take such further proceedings as to law and justice may appertain in conformity with the opinion of this Court delivered on the appeal at the last term of the Court.

per Mr. Justice Bradley.

John W. Ross.		Appeal from the Cir-
1683.	vs.	cuit Court of the
James McIntyre Superin-		United States for
tendent of the Penitentiary of the		the Northern Dis-
State of New York at Albany.		trict of New York.

This cause came on to be heard on the transcr-

cript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

The Washington & Georgetown Railroad Company.
37 of O.S. 1891 — 10 — Eff in Error
Lewis N. Mc. Dade.

On consideration of the motion to advance and the submission on briefs of counsel in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Henry H. Porter
1280 of O.S. 1886 — 10 — Appellant.
The Pittsburgh Bessemer Steel Company et al.

On consideration of the motion for an order of attachment against the appellees to compel the payment of costs incurred by appellant in this

cause in this Court, and of the argument of counsel thereupon heard, as well in support of as against the same.

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Louisville Coal Co. et al. vs. William Mc. Creery et al. Trustees. Appellants. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of the next term.

1873.

per Mr. Chief Justice Fuller.

C. H. Lindsay, Assessor, et al. vs. The First National Bank of Shreveport, Louisiana. Appls. & Plffs. in Error. On consideration of the suggestion of diminution of the record and motion for a writ of certiorari in this cause, It is now here

1731.

ordered by this Court that a writ of certiorari be
and the same is hereby awarded as prayed.

per the Chief Justice Fuller.

Maria L. Evans, wife of William R. Evans, & William R. Evans. vs. The State National Bank of the City of New Orleans. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

347 Appellants

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per the Chief Justice Fuller.

William Caldwell. vs. The State of Texas. In Error to the Court of Appeals of the State of Texas.

348 Plff in Error.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Albert B. Briggs, Receiver of the First National Bank of Buffalo.
vs. Appellant.
Elbridge G. Spaulding, William H. Johnson, Thomas W. Pushing, Cornelius B. Coit, Executor of Francis B. Coit, deceased, et al.

Appeal from the Circuit Court of the United States for the Northern District of New York.

185

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause

be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Harlan,
Mr. Justice Gray,
Mr. Justice Brewer &
Mr. Justice Brown.

Anna M. Carpenter
vs.
Pefs. in Error.
In Error to the Supreme Court of the State of Tennessee.

267. Maria E. Strange, individually, and as Executrix of A.P. Meredith, deceased, A.P. Strange, Alice M. Mitchell, Jane Sarah Strange et al.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent

with the opinion of this Court.

per Mr. Chief Justice Fuller.

John W. Wilkerson, Sheriff of Shawnee County. vs. Appellant. Charles A. Rahrer.

Appeal from the Circuit Court of the United States for the District of Kansas.

529

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller

The State of Nebraska. Complainant vs. The State of Iowa. Defendant.

On motion of Mr Charles J. Greene of counsel for

14. Original.

the complainant, leave is hereby granted to file the answer of the complainant to the cross bill of the defendant herein.

The State of Nebraska
vs. Original — vs. — Complainant
The State of Iowa.

On motion of Wm. Peter J. Cleaves, in behalf of counsel for the defendant leave is hereby granted to file application to answer of complainant to cross bill of defendant herein

The State of Nebraska
vs. Original — vs. — Complainant.
The State of Iowa.

On motion of Wm. Charles J. Greene, of counsel for the complainant, it is ordered by the Court that the testimony to be taken in this cause be taken in accordance with the stipulation of counsel this day filed by leave of the Court.

Ex parte: In the matter of Peter J. Claussen.
Petitioner.

Wm. Hector M. Nelson, esq. of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to

file a petition for a writ of mandamus.

Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

The United States. ... On motion of Mr. A. H. Garland, of counsel for the defendant,

6. Original — vs — Complainant

The State of Texas.

It is ordered by the Court that the testimony to be taken in this cause be taken in accordance with the stipulation of counsel this day filed by leave of the Court.

Albert B. Briggs, Receiver etc. Mr. W. Hallett Phillips, of counsel for the appellant, submitted to the consideration of the Court a petition for a re-hearing in this cause.

180 vs. Appellant.

Eldridge G. Spaulding et al.

Whereupon the Court not being now here sufficiently advised of and concerning what order to enter in the premises took time to consider.

John P. Stockton, Attorney General of the State of New Jersey.

1891 vs. Appellant.

The Baltimore and New York Railroad Company, The Staten Island Transit Company, Charles Ackerman, Alexander McEwan & Agent P. Potter.

Wm. Williams & A. McKinney of counsel for the appellant. [illegible] filed in open Court the following opinion to wit

"Circuit Court of the United States.

District of New Jersey.

I, S. D. Oliphant, Clerk of the Circuit Court of the United States for the District of New Jersey, do hereby certify, that in a cause lately pending in said Court wherein John P. Stockton, Attorney General of the State of New Jersey, was complainant and The Baltimore and New York Railroad Company, The Staten Island Transit Company, Charles Ackerman, Alexander McEwan and Agent P. Potter, were defendants, a final decree was rendered by said Circuit Court on the first day of August A. D. 1887, in favor of the said defendants, and against the said complainant, and that on the tenth day of January A. D. 1888, said complainant prayed an appeal to the Supreme

Court of the United States which was allowed.

In testimony where of I hereunto subscribe my name and affix the seal of said Circuit Court at Trenton this fifteenth day of May, 1891.

L. D. Clipshaut, Clerk."

F. Seal.

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the appellant has failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of New Jersey be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

The Washburn & Moen Manufacturing Co., et al. vs. The Beat 'Em All Barbed Wire Co. et al. Appellants.

No. 170

On motion of Mr. William A. McKenny leave is hereby granted

	The Westburn & Mon. Mfg. Co. et al.	Appellants	Mr. C. N. Fry
477	vs.		field to with
	W. W. Norwood.		draw his ap
			pearance as
	The Westburn & Mon. Mfg. Co. et al.		counsel for
478.	vs.	Appellants.	the appellants
	John O. Wiler et al.		in these cases.

	The United States.	Appeal from the District Court
466.	vs. Appellant.	of the United States for the
	James T. Carter.	Eastern District of Tennessee.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Cotton, of counsel for the appellant, and a stipulation of counsel for the respective parties to reverse the judgment herein having been filed, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed. And it is further ordered that this cause be, and the same is hereby, remanded to the said District Court with directions for further proceedings in conformity with the opinion of this Court in the case of The United States, Appellant vs. Henry O. Ewing,

No. 1117 of the present Term.

per Mr. Chief Justice Fuller.

	The United States		Appeal from the Su-
1744.	vs.	Appellant.	preme Court of the
	Jacob Johnson.		Territory of Utah.

This cause having been called to the attention of the Court by Mr. George A. King, of counsel for the appellee, and he having moved the Court to dismiss this cause, and Mr. Assistant Attorney General Colton, of counsel for the appellant, consenting in open Court. Therefore, in pursuance of said motion and consent, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

	James W. Bellows, Richard B.		Appeal from the
	Bellows, Julia Coddington et al.		Circuit Court of
1215.	vs.	Appellants.	the United States
	William B. Walker, Auditor, James		for the Northern
	M. Hamilton, Mayor, George H. Cole,		District of Ohio.
	Clerk, William W. Jones et al.		

It appearing to the Court that a Stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore in pursuance of said Stipulation It is therefore ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with co

per Mr. Chief Justice Waite.

---- Order. ----

It is therefore ordered by the Court that all the cases on the docket not decided and all other business of the Term not disposed of by the Court, including cases in which petitions for rehearing may be pending and undisposed of, be, and the same are hereby, continued until the next Term of the Court.

per Mr. Chief Justice Waite.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes
of the
Supreme Court
of the
United States
October Term
1891.

At the Capitol of the United States in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the Second Monday of October (being the twelfth day of the same month) in the year of our Lord one thousand eight hundred and ninety one, and of the Independence of the United States the one hundred and sixteenth the Supreme Court of the United States met agreeably to law.

Present:

The Honorable Stephen J. Field.
John M. Harlan.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
} Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr. Henry Wise Garnett it is ordered that Lyman R. Critchfield, Esquire, of Wooster,

State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that John Bassett Moore, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Lancaster it is ordered that Thomas J. Kennedy, Esquire, of Bayonne, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Taft it is ordered that Percy Werner, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of
Thomas Henry Cooper.
6. Original ——— Petitioner.

The Schooner Lyria Handy etc.
58. vs. Appellants.
The United States.

Ex parte: In the matter
of John L. Rapier
7. Original ——— Petitioner

Ex parte: In the matter
of George W. Dupre.
8. Original ——— Petitioner

Ex parte: In the matter
of George W. Dupre.
9. Original ——— Petitioner

The People of the State of
New York ex rel: Edward
Auraw.
644. vs. Pff. in Error.
Andrew Walsh, Police Justice etc.

The United States
987. vs. Appellant.
The Des Moines Navigation
and Railway Co. et al.

And

Monday, Oct. Ter. 1870.

The Pacific Express Co.

159. vs. Appellant.

James M. Seibert, Sole Auditor &c.

Charles Counselman.

226. vs. Appellant

Grant Hitchcock, U. S. Marshal.

The Iron Silver Mining Co.

2. vs. Pff. in Error.

The Mike & Star Gold & Silver Mining Co

The Iron Silver Mining Company.

3. vs. Pff. in Error.

The Mike & Star Gold & Silver Mining C

John L. Sullivan et al.

7. vs. Pffs. in Error.

The Iron Silver Mining Co.

Robert M. Boyd et al.

049. vs. Appellants.

The United States et al.

Charles Hemsbach et al.

050. vs. Appellants

The United States.

Marshall Field & Company.

052. vs. Appellants.

J. M. Clark, Collector &c.

and.

The United States.

1061. vs. Appellant.

Ballin, Joseph and Co.

The Louisville Water Co.

1024 vs. Eff. in Error.

William Clark, Sheriff etc.

It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday, November 9th.

per Mr. Justice Gray.

Mr. Justice Gray announced that the Court would commence the call of the docket to-morrow, pursuant to the 26th rule.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Tuesday, October, 13th, 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Stephen J. Field.
John M. Harlan.
Samuel Blatchford. Associate
Lucius L. C. Lamar. Justices
David J. Brewer.
Henry B. Brown
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Edmunds it is ordered that C. W. Willers, Esquire of St. Albans, State of Vermont, and Clifford L. Walton, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Carter it is ordered that John Baker, Esquire, of Mc. Leansboro, and John

C. Downing, Esquire, of Danville, State of Illinois, and Henry W. Sanford, Esquire, of Addison, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this today by Mr. Henry Wise Garnett it is ordered that Vincent D. Markham, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. J. H. McGowan it is ordered that Ashley M. Gould, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. A. L. Pugh it is ordered that Llewellyn A. Shaver, Esquire, of Washington, District of Columbia, and Wm. Wade Hampton, Esquire, of Gainesville, State of Florida, be admitted to

practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in the behalf by Mr. Assistant Attorney General Maury it is ordered that Albert J. Dargan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Jesse Spalding, Collector of Customs for the Port & District of Chicago. ... Plff. in Error.
4. ... vs. ...
George E. Hodder & Henry C. Long, copartners as Hodder & Long. ... Defts.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called to the attention of the Court by Mr. Solicitor General Taft, of counsel for the plaintiff in error, and he having moved the Court to affirm the judgment of the Circuit Court herein. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause

be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Field.

Joseph Wilkerson, Hugh J. Anderson & Charles Albau. vs. Appts. in Error. William H. Robertson, Collector of the Port of New York.

In Error to the Circuit Court of the United States for the Southern District of New York.

8.

This cause having been called to the attention of the Court by Mr. Solicitor General Taft, of counsel for the defendant in error, and the motion of counsel for the plaintiffs in error to dismiss this cause having been filed, Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Field.

4. James A. Eldredge et al. vs. The United States. Appellants. And James A. Eldredge et al. vs. The United States. Appellants. On motion of the Solicitor General Dep. of counsel for the appellee, It is ordered by the Court that these cases be, and they are hereby, continued with the next term, per stipulation of counsel.

Ex parte: In the matter of Jacob Hood Bassell. Petitioner. Mr. Solicitor General Dep. of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition and for a rule to show cause why said writ should not issue.

86. The United States. vs. Plff. in Error. The Denver & Rio Grande Ry. Co. And The United States vs. Plff. in Error. The Denver & Rio Grande Ry. Co. et al. 87. On motion of Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, It is ordered by the

Court that these cases be passed, subject to the provisions of section 9, Rule 36.

U.S. for Thomas Crosby and S.B. Echols.		Pff. in Error	In Error to the Circuit Court of the United States for the Northern District of Texas.
858.	v.		
E.J. Hart.			

This cause having been called to the attention of the Court by Mr. W. Hallett Phillips, of counsel for the defendant in error, and he having produced the authority of S.B. Echols to dismiss the writ of error herein as to said Echols. Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be as to the said S.B. Echols and the same is hereby, dismissed with costs.

per Mr. Justice Field.

Alexander Moses.		Plff. in Error.	On motion of Mr. W. Hallett Phillips, in behalf of counsel, It is ordered that this
46.	v.		
The State of Mississippi.			

cause be, and the same is hereby, passed, subject to the provisions of section 9, Rule 36.

Richard McElish
35. vs. Off. in Error
U. S. Doff et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. Hallett Phillips and Mr. W. A. Davis, of counsel for the plaintiff in error, and Mr. W. A. Ledbetter, of counsel for the defendants in error

The United States.
7. vs. Off. in Error
The Boston & Albany R.R. Co.

On motion of Mr. Solicitor General Jenks of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and is passed subject to the provisions of section 9. Rule 26.

Charles Wilson, Trustee.
37. vs. Appellant.
The Pittsburgh, Cincinnati & St. Louis Railway Co. et al.

On motion of Mr. George Hoadly, of counsel for the appellant, It is ordered by the Court that this case be passed subject to the provisions of section 9. Rule 26.

The Chicago & Grand Trunk Railway Company. Plff. in Error.
vs.
Thomas Wellman.

Mr. George E. Edmunds of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

131.

Robert W. Waterman. Appellant.
vs.
James M. Banks, Executor etc.

The death of Robert W. Waterman, the appellant herein, having been suggested and an order of publication issued at the last term, now, on motion of Mr. George E. Edmunds, of counsel, It is ordered by the Court that Jane E. Waterman, Executrix of the said Robert W. Waterman, deceased, be, and she is hereby, made the party appellant in this cause.

190.

Solomon Brown Plff. in Error.
vs.
Theodore B. Swart et al.

Mr. Henry Wise Garnett, in behalf of counsel for the plaintiff in error, suggested the death of Solomon Brown, the plaintiff in error herein, and moved the Court to make Eva Brown, Administratrix of the said Solomon

163.

Brown, the party plaintiff in error herein. Whereupon, It is now here ordered by the Court that the said Eva Brown, Administratrix of Edmund Brown, deceased, &c, and she is hereby, made the party plaintiff in error in this cause.

1115 Charles Mc. Elwaine vs. A. A. Brush, Agent etc. Appellant.

1123 Mc. de la Cruz a. vs. A. A. Brush, Agent etc. Appellant.

1125 Charles Mc. Elwaine vs. A. A. Brush Agent etc. Appellant.

Mr. Charles C. Calvo, of counsel for the appellee, submitted to the consideration of the Court motions to advance these cases.

719 J. Calman Budd vs. The People of the State of New York. Plff. in Error.

On motion of Mr. Reginald Rendall, in behalf of counsel, It is ordered by the Court that this cause be, & the same is hereby, advanced and assigned for argument with case No. 644.

Thomas Knight. ... On motion of Mr.
824 vs. Pff. in Error. Joseph McKenna,
The United Land Association leave is hereby granted
et al. ... Mr. E. S. Pillsbury to file a print-
ed argument in this cause. ...

John Halsted. Mr. W. L. Cole, in behalf
825 U.S. 1870 vs. Pff. in Error. of counsel for the plain-
Sarah A. Custer et al. tiff in error, submitted
to the consideration
of the Court a motion for leave to file a petition
for a re-hearing in this cause.

Schuyler's Steam Tow The motion to require
Boat Line. the plaintiff in error
71 vs. Pff. in Error to give a new bond
John Salisbury. in this cause was
submitted to the con-
sideration of the Court on printed arguments
by Mr. J. Rider Cady in support of the same,
and Mr. W. Prentiss, in opposition thereto.

Anne Williams, widow of William Williams deceased Ann Williams et al. vs. Catherine Williams. Appellants.

We William D. Curtis of counsel for the appellee, having filed in open Court the following certificate, to wit:

"In the Circuit Court of the United States for the District of Kansas.

Anne Williams, widow of William Williams, deceased: Ann Williams, a daughter of said William & Anne: Jane Green, a daughter of the said Anne and William: Rees Williams, David Williams, John Williams & Philip Williams, sons of said Anne and William, and Mary Williams, a daughter of said Anne & William, aliens and residents of England and Wales. Complainants.

vs.

Catherine Williams, Defendant.

I, George G. Harrill, Clerk of the Circuit Court of the United

22. "2363.

States for the District of Kansas, do hereby certify that at the November Term, 1889, of said Circuit Court, the above entitled suit in equity was pending in said Circuit Court, and that on the 6th day of December, 1889, and at the November term 1889 of said Circuit Court said cause was tried and a decree entered therein in favor of the defendant and against said complainants and on the same day an appeal by said complainants from said decree was duly allowed by said Court as shown by the records of said Court.

In witness whereof I have hereunto subscribed my name as such Clerk and affixed the seal of said Court on this 15th day of August, 1891.

[Seal.] Geo. W. Hamill, Clerk."

moved the Court to docket and dismiss this case pursuant to the 9th rule: and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of

Kansas be and the same is hereby dismissed and dismissed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Justice Field

John D. Underwood and Frederick W. Underwood. vs. Appellants
559. Henry Gerber et al.

Mr. W. G. Henderson, in behalf of counsel for the appellants, suggested the death of Frederick W. Underwood, one of the appellants, and moved the Court to make John D. Underwood and Hannah E. Underwood Executors of the said Frederick W. Underwood parties appellants herein. Whereupon it is now ordered by the Court that the said John D. Underwood and Hannah E. Underwood, Executors of Frederick W. Underwood deceased be, & they are hereby made parties appellants in this cause.

The People of the State of New York ex rel: Francis B. Cutler. vs. Appellants in Error.
415. Andrew Wales, Police Justice etc.

On motion of Mr. Charles E. Tabor, It is ordered by the

Court that this cause be advanced and assigned for argument with case No. 6444.

Ex parte: In the matter of Edward W. Hallinger. Appellant. — Mr. C. A. Winfield submitted to the consideration of the Court a motion to advance this cause.

1406.

Oscar Rice. vs. Pff. in Error. Jane Sanger, Admx. etc. — The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. C. D. Mc Cleverty, in support of the same.

1400.

Samuel Worden. vs. Pff. in Error. The People of the State of Illinois. — Mr. Moses Solomon, of counsel for the plaintiff in error, and appellant, submitted to the consideration of the Court a motion to advance these cases.

909.

and

Richard Schwab. vs. Appellant. O. W. Berggren, Warden etc.

977.

279. Daniel Runkle vs. Jeff. in Error. E. J. Burnham, use of E. J. Medbury.

Mr. William H. Taft, in behalf of counsel, suggested the death of Daniel Runkle, the plaintiff in error, and moved the Court to make William Runkle & Harry G. Runkle, Administrators of the said Daniel Runkle the parties plaintiffs in error herein. Whereupon, It is now here ordered by the Court that the said William Runkle and Harry G. Runkle, Administrators of Daniel Runkle, deceased, be, and they are hereby, made the parties plaintiffs in error in this cause.

28. E. C. Cross et ab. vs. Appellants. L. H. Allen.

The death of L. H. Allen, the appellee, having been suggested, and an order of publication granted at the last term, now, on motion of Mr. J. H. Mitchell, of counsel for the appellants, It is now here ordered by the Court that John D. W. Allen, Administrator, and Henry C. Allen, John H. Allen, Sarah L. Boffin and Harriet De Witt Smith, heirs of said L. H. Allen, deceased, be made parties appellee in this cause, per stipulation of counsel.

The City of New Orleans et al. Mr. William
682. vs. Pltfs. in Error. A. McKenney,
The New Orleans Water Works Co. et al. in behalf of
and counsel for
Edward Covery, Jr. et al. the defend-
689. vs. Pltfs. in Error. ants in error,
The New Orleans Water Works Co. et al. submitted
to the con-
sideration of the Court a motion to advance these cases and assign them for argument with cases Nos. 66. 67 and 68.

1009 Wm. Jones, Pltf in Error, vs. The Commonwealth of Virginia
1010 J. A. Walton et al. Pltfs in Error vs. J. W. Crawford, Treasurer &c
1012 J. C. Gilbert, Pltf. in Error, vs. B. F. Norris, as Treasurer &c. No.
816 J. H. Gregory et al. Pltfs in Error vs. J. W. Crawford, Treasurer &c.
817 Joseph Lawson et al Pltfs in Error vs. J. W. Crawford, Treasurer &c.
818 W. Pinkerton et al. Pltfs. in Error, vs. W. J. Hoy, Sheriff &c.

The motion to advance these cases was submitted to the consideration of the Court on printed arguments by Mr. William A. McKenney in support of the same and Mr. R. Taylor Scott in opposition thereto.

John Mc. Mulla, Receiver &c. vs. Pff. in Error.
784. J. R. Lockridge, Admr. &c.

The motion to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. J. W. Patton, in support of the same, and Mr. George B. Burnett in opposition thereto.

The Northern Pacific R.R. Co. vs. Pff. in Error.
784. George Hamby.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. C. Sheppard, in support of the same, and Mr. A. H. Garland, Mr. H. J. May and Mr. James Mc. Vaught, in opposition thereto.

785. Bruce Davis, Appellant, vs. Angelica Wheeler, &c.
786. Bruce Davis, Appellant, vs. Lucy A. Cornwell.

The motions to dismiss or affirm in this case were submitted to the consideration of the Court on the record and printed arguments by Mr. Charles Wally, in support of the same, and Mr. Joseph K. Choate, in opposition thereto.

Harry S. Mccartney. — In Error to the Circuit Court
16. vs. Deft. in Error. — of the United States for
James L. Crittenden and — the Northern District
Nina D. Crittenden. — of California.

This cause being called for hearing in its regular order and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, It is considered by the Court that this cause should be dismissed, at the cost of the plaintiff in error, pursuant to the 17th rule of this Court. Whereupon It is now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Justice Field.

William J. Boyle, Junior. — Appeal from the Circuit
18 vs. Appellant. — Court of the United States
The Globe Gaslight Company — for the Southern District
et al. — of New York.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Field.

John J. Shillington et al
vs
H.L. Crawford et al.

Appeal from the Supreme Court of the District of Columbia.

22

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record It is thereupon in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by the Court that the appeal be, and the same is hereby dismissed with costs.

per Mr. Justice Field.

Samuel L. Richmond
vs.
The City of Fort Scott.

Pff. in Error.

This cause was argued by Mr. A. H. Winterstein, of coun-

sel for the plaintiff in error, and Mr. J. D. Mc. Laverty, of counsel for the defendant in error.

E. C. Cross et al. vs. Appellants. 33

John K. Duff, Wm. Arthur, &c.

This cause was argued by Mr. John A. Mitchell, of counsel for the appellants, and Mr. J. E. L. Wood of counsel for the appellees.

On examination being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, October 11th 1871

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Stephen J. Field.
John M. Harlan.
Samuel Blatchford — Associate
Lucius Q. C. Lamar. — Justices.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edwin B. Smith it is ordered that Solomon Hirsh Bettman, Esquire, of Peoria, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. Earle it is ordered that Young John Cope and George S. Mower, Esquires, of Newberry, State of South Carolina

be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Strutt it is ordered that W. S. Burt, Esquire of Mound Pleasant, State of Iowa, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel E. Phillips it is ordered that Edward Lyman Short, Esquire, of New York City, and Joseph Leicester Atkins, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellors of this Court and they were sworn accordingly.

Walter J. Hidd
36. vs. Appellant.
Newman A. Ransom.

Mr. A. H. Offield, of counsel for the appellant submitted to the consideration of the Court a motion to reverse the decree herein as per stipulation of counsel.

Erwin Davis, Appellant vs Angelica Watkins.
Erwin Davis, Appellant vs Pierre W. Cornwell.

On motion of Mr. Erwin Smith in behalf of counsel, It is ordered by the Court that the submission of the motions to dismiss or affirm in these cases be, and the same is hereby, vacated and set aside.

James M. Houston, Hugh W. Tillery, Samuel Winchester, and Hugh M. Houston. vs. Robert Simpson and wife, M. L. Simpson.

In Error to the Superior Court of Union County, State of North Carolina.

The cause having been called for hearing in its regular order and authority of counsel for the plaintiffs in error to dismiss the cause having been filed. Therefore in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Brewer.

57 The Wiggins Ferry Co. Appellant. v. The Ohio and Mississippi Railway Co. et al.

The cause was argued by Mr. Henry Hitchcock, of counsel for the appellant, and Mr. Clarence Maxwell Jr. of counsel for the appellees.

58 Allen Magowan et al. Appellants. v. The New York Belting & Packing Co.

The argument of this cause was commenced by Mr. W. L. Courtney Jr. of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Stephen J. Field.
John M. Harlan.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened

On motion first made to the Court on this day by Mr. Edwin C. Smith it is ordered that Daniel M. Browne, Esquire of Boston State of Maine, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this day by Mr. B. W. Perkins it is ordered that Thomas G. Walker, Esquire, of New Orleans State of Louisiana, be admitted to practice as an atto-

ney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Cole it is ordered that Henry B. Simms and C. S. Burlow, Esquires, of Wheeling, West Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Ex parte. In the matter of Thomas O. Green Petitioner. Mr. B. W. Perkins submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

New Orleans et al. vs. Appellants
The New York Belting & Packing Company. The argument of this cause was continued by Mr. C. B. Lowthorp Jr. of counsel for the appellants and Mr. B. P. Lee of counsel for the appellee, and concluded by Mr. C. B. Lowthorp Jr. of counsel for the appellants.

30.

Julia A. Mc. Leaw et al. vs. Appellants. Ruggles W. Pope et al.

On motion of Mr. Edwin C. Smith, of counsel for the appellants, Leave is hereby granted him to file a supplemental brief herein.

Julia A. Mc. Leaw et al. vs. Appellants. Ruggles W. Pope et al.

The argument of this cause was commenced by Mr. Edwin C. Smith, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, October 16th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Stephen J. Field.
John M. Harlan.
Samuel Blatchford. Associate
Lucius L. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion filed in the Court in this behalf by Mr. John A. Rigg it is ordered that Robert Dollard, Esquire, of Scotland, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

John M. Francis
vs Appellant.
The United States

Appeal from the Court of Claims.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that this appeal be, & the same is hereby, dismissed

per Mr. Justice Field.

Julia A. Maderia et al. vs. Appellants
Eugene W. Clapp et al.

The argument of this cause was continued by Mr. Edwin B. Smith of counsel for the appellants, and Mr. Solomon A. Bellows and Mr. Elwood Dicey, of counsel for the appellees, & concluded by Mr. Edwin B. Smith of counsel for the appellants.

88. Sylvester A. Shubael vs. Appellant
Charles L. Luce et al.

The argument of this cause was commenced by Mr. Arthur Butler, of counsel for the appellant, and continued by Mr. Charles Bratt, of counsel for the appellees.

Upon motion duly made the Court is adjourned until Monday next at Twelve o'clock.

Monday, October, 19th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable. Stephen J. Field.
John M. Harlan.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.

John M. Wright, Esquire Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Chaddeus D. Kenneson and Sergo Smith, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. L. Russell it is ordered that W. C. Houston, Esquire of Meridian Miss. of Mississippi, be admitted to practice as an attorney

and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of Jacob Sloat Bassett, late Collector of Customs of the Port of New York. Original ——— Petitioner. } On consideration of the motion for leave to file a petition for a writ of prohibition herein. It is now here ordered by the Court that said motion be and the same is hereby granted.

per Mr. Justice Field.

Ex parte: In the matter of Jacob Sloat Bassett, late Collector of Customs of the Port of New York. Original ——— Petitioner } On petition for a writ of prohibition.

On consideration of the petition of Jacob Sloat Bassett, late Collector of Customs of the Port of New York, It is now here ordered by the Court that cause be shown by the Judge of the District Court of the United States for the Southern District of New York, before this Court at Washing-

tow on the second day of November next at 12 o'clock noon of that day or as soon thereafter as counsel can be heard, why a writ of prohibition should not be granted as prayed in said petition.

per Mr. Justice Field.

1115. Charles Mc. Elvaine, Appellant vs. A.A. Brush, Agent etc.
1128. Nicola Pozza, Appellant vs. A.A. Brush, Agent etc.
1126. Charles Mc. Elvaine, Appellant vs. A.A. Brush, Agent etc.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same are hereby granted, and the cases assigned for argument at the head of the call on the first Monday of December next.

per Mr. Justice Field.

909. Samuel Fiedler, Plff. in Error vs. The People of the State of Illinois, Def. in Error.

977. Michael Schwab, Appellant vs. J.W. Bergeron, Warden etc.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion

be and the same is hereby granted and the case assigned for argument on the first Monday of December next after the cases heretofore assigned for that day.

Per The Supreme Court

The Chicago & Grand Canal Railway Co.

731. vs. Writ in Error

Thomas Wellman.

On consideration of the motion to advance the cause the same is overruled by the Court that said motion be, and the same is hereby granted and the cause assigned for argument before a full bench.

Per The Supreme Court

The City of New Orleans et al.

82. vs. Writ in Error.

The New Orleans Water Works Co. et al.

and

Edward Conery, Jr. et al.

89. vs. Writ in Error.

The New Orleans Water Works Co. et al

On consideration of the motion to advance these cases and each one thereof for argument with cases Nos. 66, 67 and 68 on the docket

for the present term. It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Justice Field.

The Wiggins Ferry Co.
57 vs. Appellant.
The Ohio and Mississippi Railway Co. et al

It is ordered by the Court that this cause be re-argued before a full bench after the cases heretofore assigned for the second Monday in November next.

per Mr. Justice Field.

Schuyler's Steam Tow Boat Line.
91 vs. Pff. in Error.
John Salisbury.

On consideration of the motion to require the plaintiff in error to give a new bond for the prosecution of the writ of error in this case and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the plaintiff in error file a new, adequate and sufficient bond, with two solvent and sufficient sureties who shall justify respectively in the sums of

$15,000. upon due and timely notice to the Attorney for the defendant in error such bond to be approved by the District Judge for the Northern District of New York and filed within two weeks from the date hereof, or in default thereof, the writ of error herein to be dismissed.

per Mr. Justice Field.

1009. W. H. Jones, Pff. in Error, vs. The Commonwealth of Virginia.
1010. J. J. Wallau et al. Pffs. in Error vs. J. W. Brawford, Treasurer etc.
1013. J. J. Dillard, Pff. in Error vs. B. L. Wiseman, Treasurer etc.
1016. A. A. Gregory et al. Pffs. in Error vs. J. W. Brawford, Treasurer etc.
1017. Joseph Lawson et al. Pffs. in Error vs. J. W. Brawford, Treasurer etc.
1018. L. Ditchford et al. Pffs. in Error vs. W. J. Day, Sheriff etc.

On consideration of the motion to advance these cases and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Justice Field.

Walter J. Kidd. Appeal from the Circuit Court
vs. Appellant. of the United States for the
Newman A. Ransom Northern District of Ill.

The cause having been called to the attention of the Court by Mr. Charles M. Ogden of counsel for the appellant, and the following stipulation having been filed, to wit:

"It is hereby stipulated and agreed by and between the parties to the above entitled cause represented respectively in person and by counsel that by virtue of and in view of a settlement heretofore made and entered into between the parties hereto that a decree may be entered reversing the decree of the Court below, without costs to either party in this Court, and that said cause may be remanded with directions to dismiss the bill of complaint at complainants costs.

Walter J. Kidd, Appellant.
Charles M. Ogden.
Counsel for Appellant.
Henry A. Ransom.
Joseph W. Merriam,
Counsel for Appellee."

On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, reversed, with out

costs to either party in this Court: And that the cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill of complaint at complainants costs.

per Mr. Justice Field.

Ex parte: In the matter of Thomas A. Green. Petitioner

On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument in support of the same

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Field.

John B. Adams. Plff in Error
vs.
The United States

In Error to the District Court of the United States for the District of Kansas.

This cause having been called in the regular order of the Court by Mr. Solicitor General Coxe, of counsel for the defendant in error, and he having filed a confession of error and consent that the judgment herein be reversed, Therefore, It is now here ordered and adjudged by the

Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed: And that this cause be, and the same is hereby, remanded to the said District Court with directions to grant a new trial.

per Mr. Justice Field.

Edward L. Hoffman, late Collector of the Port of New York.

vs.

Edward I. Norman.

98. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called in the regular order of the Court by Mr. Solicitor General Clyde, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Field.

No. 69. The Baltimore & Ohio R.R. Co. vs. The United States. The Counsel of the respective parties of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance the cause.

No. 70. The Orchard Coal Mining Co. vs. The Rochester Rolling Mill Co. & W. H. Beaumont. The Solicitor General of counsel for the appellee, having filed in open Court the following certificate, to wit:

"No. 69.
Circuit Court of the United States.
Western District of Tennessee.

The Orchard Coal Mining Company
No. 69. vs. In Equity.
The Rochester Rolling Mill Company
and W. H. Beaumont.

Certificate.

I, Clerk of the Circuit Court of the United States for the Western District of Tennessee, I do hereby certify, that in the above entitled

cause lately pending in said Circuit Court at Jackson Tennessee within and for the Eastern Division of said District the said defendants The Dickerson Roller Mill Company and W. H. Foreman on May 2, A.D. 1890 recovered a final and and decree against the said plaintiff The Forked Deer Milling Company for the sum of three thousand, seven hundred and nine dollars and eighty six cents, and costs of the cause.

That afterwards on May 13, A.D. 1890 the said plaintiff by leave of the Court filed their its petition to rehear the cause on the foregoing decree.

That at the subsequent term of the said Court on November 8, A.D. 1890, a rehearing under said petition was refused.

"Upon which decree and all former decrees entered herein and particularly the decree entered, to rehear and reverse which said petition to rehear was filed, complainant The Forked Deer Milling Company the plaintiff in the original bill, comes and prays an appeal to the next term of the Supreme Court of the United States to be held at Washington in the District of Columbia which prayer is granted upon

said appellant giving bond according to law, in the penalty of seven thousand dollars, and that on November 14. A.D. 1890. such appeal bond was duly executed approved and filed in the Court.

In witness whereof I hereunto subscribe my name and affix the seal of said Court at Knoxville Tenn. this 6th. day of October, A.D. 1891 and of our Independence the 116th year.

[Seal]

John D. Vaughn.
Clerk of the United States Circuit Court for the Eastern Division of the Western District of Tennessee.

moved the Court to docket and dismiss the cause pursuant to the 9th rule: and it appearing to the Court that the appellant has failed to have the cause filed and docketed in conformity with the rules of this Court: It is therefore ordered, adjudged and decreed by this Court that the appeal from the Circuit Court of the United States for the Western District of Tennessee be, and the same is hereby, docketed and dismissed with costs: And that this cause be, and the

cause is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Justice Field.

227 The Wilson Sewing Company. vs. Plff in Error. John A. Webb & Brother. The motion to dismiss or affirm in the cause & the cause on its merits were submitted to the consideration of the Court on the record and printed arguments by Mr Henry Wise Garnett, of counsel for the plaintiff in error, and Mr. W. F. Norris of counsel for the defendants in error.

The United States ..... vs. Original — Compt'd. The State of Texas. On motion of Mr. A. H. Garland, of counsel for the defendant, leave is hereby granted to file an amendment to the answer herein.

208 James B. Boyd vs. Plff in Error The State of Nebraska ex rel: John M. Thayer Mr A. H. Garland, of counsel for the plaintiff in error, submitted to the

consideration of the Court a motion to advance this cause.

Eugene Logan et al. vs. Plffs. in Error.
235 The United States

Eugene Logan et al. vs. Appellants.
1315 George A. Knight, U.S. Marshal.

Mr. A. H. Garland of counsel for the plaintiffs in error and appellants, submitted to the consideration of the Court a motion for leave to prosecute these cases in forma pauperis.

Eugene Logan et al. vs. Plffs. in Error.
2361 The United States.

Mr. Harry Elmore Miller, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

The United States vs. Complainant.
5 Original The State of Texas.

Mr. Edgar Allan, of counsel for the complainant, submitted to the consideration of the Court a motion to fix a day for

The argument of the demurrer filed herein.

The United States. Complainant
vs.
The State of Texas.

On motion of Mr. Edgar Allen of counsel for the complainant, leave is hereby granted to file certain documentary evidence and certain depositions taken in Travis County, Texas on behalf of the complainant subject to exceptions by the defendant at the hearing.

1288. The Michigan Insurance Bank. Plff. in Error.
vs.
Anson Eldred.

Mr. Colin C. Dennis, in behalf of counsel, submitted to the consideration of the Court a motion to advance the cause.

1185. Erwin Davis, Appellant, vs. Angelica Wakelee and
1186. Erwin Davis, Appellant, vs. Pierre B Cornwall.

Mr. D. D. Hewesson of counsel for the appellant submitted to the consideration of the Court motions to advance these cases.

Thomas Haigh
124 vs. Appellant
The United Land Association et al.

Mr. J. H. Ewing of counsel for the defendants in error, submitted to the consideration of the Court a motion to postpone the argument of this cause for the present.

The Crosby Steam Gage & Valve Company.
199 vs. Appellant.
The Consolidated Safety Valve Company.

Mr. Edmund Wetmore of counsel for the appellant, submitted to the consideration of the Court a motion to postpone the argument of this case for the present.

William Deering.
741 vs. Appellant.
The Wisconsin Harvester Works et al.

Mr. Thomas A. Banning, of counsel for the appellant, submitted to the consideration of the Court a motion for leave to correct the transcript of the record in this cause.

1400 Oscar Rice. vs. Jeff. in Error. Jane Sanger, Admx. etc. Mr. E. G. Ware, of counsel for the plaintiff in error, submitted to the consideration of the Court a suggestion of diminution of the record and motion for a writ of certiorari in this cause.

1400 Oscar Rice. vs. Jeff. in Error. Jane Sanger, Admx. etc. On motion of Mr. E. G. Ware, of counsel for the plaintiff in error, leave is hereby granted time to file a printed argument in opposition to the motion to dismiss heretofore submitted in this cause.

1064 The Metropolitan National Bank. vs. Jeff. in Error. Summer B. Taggett et al. Admrs. etc. The motion to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. L. W. Cusack in support of the same, and Mr. Charles A. Peabody, in opposition thereto.

Sylvester N. Kneeland. vs. Appellant. Charles L. Luce et al.

The argument of this cause was continued by Mr. Charles Pratt, of counsel for the appellee, and concluded by Mr. Robert G. Ingersoll, of counsel for the appellant.

Sylvester N. Kneeland. vs. Appellant. P.L. Luce and Co. et al.

The argument of this cause was commenced by Mr. Robert G. Ingersoll, of counsel for the appellant and continued by Mr. Charles Pratt, of counsel for the appellee.

Proclamation being made the Court is adjourned until To-morrow at Twelve o' clock

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Stephen J. Field.
John M. Harlan.
Samuel Blatchford. Associate
Lucius L. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

Thomas Knight.
(224) vs. Pet. in Errr.
The United Land Association
et al.

On consideration of the motion to postpone the argument of this cause for a full bench, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Field.

The Crosby Steam Gage & Valve Company.
199. ... vs. ... Appellant.
The Consolidated Safety Valve Company.

On consideration of the motion to postpone the argument of this cause for a full bench, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Field.

James E. Boyd.
208. ... vs. ... Pff. in Error.
The State of Nebraska et al:
John M. Thayer.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on the first Monday in December next, after the cases heretofore assigned for that day.

per Mr. Justice Field.

Sylvester H. Knibbs.
37. ... vs. ... Appellant.
D. L. Luce and Co. et al.

The argument of the cause was continued by Mr. W. J. Babb, of counsel

for the appellee, and concluded by Mr. John W. Butler of counsel for the appellant.

Henry W. Cook
vs. Appellant.
Walter Lipscomb.

This cause was argued by Mr. A. H. Garland, of counsel for the appellant, and counsel for the appellee was granted leave to submit a printed argument within two weeks from this date.

The Charlotte, Columbia & Augusta Railroad Co.
41. vs. Plff. in Error.
Wade Hampton-Gibbs, Pres. etc.

This cause was argued by Mr. Linden Kent, of counsel for the plaintiff in error and Mr. W. B. Earle, of counsel for the defendant in error.

Edward L. McClain.
44. vs. Appellant.
Andrew O'Shaughnessy et al.

The argument of this cause was commenced by Mr. James Moore, of counsel for the appellant.

Anna Williams, widow et al.
22. vs. Appellants
Catherine Williams.

On motion of Mr. W. B. Earle. leave is hereby granted the Clerk to issue the mandate in this cause.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

Wednesday. October. 21st, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Stephen J. Field.
John M. Harlan.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas A. Banning it is ordered that Edward L. Doolittle, Esquire of Huntington West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Edward L. McKaw.
vs. Appellant.
Andrew Ortmayer et al.

44.

The argument of this cause was continued by Mr. James Moore, of counsel for the

appellant, and Mr. Thomas A. Hemmy, of counsel for the appellee, and concluded by Mr. Edward Wetmore, of counsel for the appellant.

The Union Pacific Railway Company.
45. vs. Pff. in Error.
William C. Reddon.

This cause was argued by Mr. John F. Dillon, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Arthur Brown, of counsel for the defendant in error.

Henry Thomas Coghlan.
47. vs. Appellant.
The South Carolina R.R. Co.

On motion of Mr. A.S. Young, of counsel for the appellant, leave is hereby granted counsel to file supplemental briefs in this cause within two weeks from this date.

Henry Thomas Coghlan.
47. vs. Appellant.
The South Carolina R.R. Co.

The argument of this cause was commenced by Mr. A. S. Young, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at

Thursday, October, 22d. 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Stephen J. Field.
John M. Harlan.
Samuel Blatchford. Associate
Lucius L. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. J. N. Raymond it is ordered that John K. Hallock, Esquire, of Erie, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Horn Silver Mining Co.
48. v. Pff. in Error.
The People of the State of New York.

On motion of Mr. J. N. Harband, in behalf

of counsel. It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 9, Rule 26.

Seth Gage,
59. vs. Appellant.
Spencer Kellogg et al. Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Gray.

John Mc. Creary.
54 vs. Appellant.
The Pennsylvania Coal Co. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. L. Robinson of counsel for the appellant & Mr. L. S. Hastings [illegible] of counsel for the appellee

Henry Brown Eagleson. The argument of
47. vs. Appellant. this cause was
The South Carolina R.R. Co. continued by Mr.
H.E. Young, of
counsel for the appellant, and concluded by Mr.
W.E. Earle of counsel for the appellee.

The Crosby Steam Gage & This cause was
Valve Company. argued by Mr.
999. vs. Appellant. Edmund Wet-
The Consolidated Safety Valve Co. more, of coun-
sel for the ap-
pellant, and Mr. Chas. Wm. Clarke, of counsel
for the appellee.

Bruin Davis. The argument of this cause
98-A vs. Pff. in Error. was commenced by Mr.
Algernon S. Patrick. J. M. Woolworth, of coun-
sel for the plaintiff in error.

Proclamation being made the Court is adjourned
until to-morrow at Twelve o'clock.

Friday October 23d 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Stephen J. Field.
John M. Harlan.
Samuel Blatchford
Lucius Q. C. Lamar.
David J. Brewer
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

Bruno Doro.
384. vs. Pff. in Error.
Algernon S. Patrick.

The argument of this cause was continued by Mr. J. M. Woolworth of counsel for the plaintiff in error, and Mr. John L. Webster, of counsel for the defendant in error was concluded by Mr. Woolworth of counsel for the plaintiff in error.

Thomas Knight.
524. vs. Pff. in Error.
The United Land Association et al.

On motion of Mr. Charles H. Fox, of counsel

for the defendants in error and by consent of counsel for the plaintiff in error leave is hereby granted to file a certified copy of the opinion of the Supreme Court of the State of California in this cause delivered in January 1890

Thomas Knight.
824 vs. Eff. in Errn.
The United Land Association et al.

The argument of this cause was commenced by Mr. Edward R. Taylor, of counsel for the plaintiff in error, and continued by Mr. Charles H. Carr, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday. October 2nd 1871

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Stephen J. Field. Associate
Joseph P. Bradley. Justices
John M. Harlan.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is ordered that James R. Ward. Esquire, of Carrollton, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John Mc. Muir, Receiver of the Wabash, St. Louis and Pacific Railway Company.

1224 vs. Plff. in Error. In Error to the Supreme Court of the State of Illinois.

G. R. Lockridge, Administrator of James Mclohon and Mary E. Mclohon, deceased.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Allen Wagoman, Spencer M. Alpaugh and Frank A. Wagoman.

30. vs. Appellants. Appeal from the Circuit Court of the United States for the District of New Jersey.

The New York Belting and Packing Company.

This cause came on to be heard on the Trans-

cript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that decrees bear in the Courts of the State of New Jersey.

per Mr. Justice Blatchford.

The United States. Appellant. vs. The Missouri, Kansas & Texas Railway Co. et al.

317. Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with

directions to overrule the several demurrers to the bill, and to require answers from the defendants and for other proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Harlan.

Edwin S. Fowler & Sophie Fowler.
32. vs. Appellants.
The Equitable Trust Company.
&
The Equitable Trust Company.
33. vs. Appellant.
Edwin S. Fowler et al.

Appeals from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, on appeal and cross-appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; the costs in this Court to be paid by The Equitable Trust Company: and that this cause be, and the same is hereby, remanded to the said Circuit

Court with directions to modify its decree in accordance with the principles of the opinion of this Court.

Per Mr. Justice Harlan.

Rose H. Fowler,
34 vs. Appellant.
The Equitable Trust Company.
&
The Equitable Trust Company,
36 vs. Appellant.
Rose H. Fowler et al.

Appeals from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, on appeal and cross-appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, the costs in this Court to be paid by The Equitable Trust Company; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to make

such modifications in the decree as will be consistent with the opinion of this Court.

per Mr. Justice Harlan.

Sophia Fowler & Edwin S. Fowler. Appellants. vs. The Equitable Trust Company. Appeal from the Circuit Court of the United States for the Southern District of Illinois.

36.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Illinois.

per Mr. Justice Harlan.

Isabel Cage. Appellant. vs. John H. Bane. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

20.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Samuel E. Hickman. In Error to the Circuit Court
10. vs. Jeff. in Error. of the United States for
The City of Fort Scott. the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Peter J. Vacasse.
191. vs. Off. in Error.
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of December next, after the cases heretofore assigned for that day.

per Mr. Justice Field.

The United States.
5. Original — vs. — Complainant.
The State of Texas.

On consideration of the motion to fix a day for the argument of the several demurrers filed herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted. The argument to take place on the first Monday of December next after the cases heretofore assigned for that day.

per Mr. Justice Field.

The Michigan Insurance Bank.
1288. vs. Off. in Error.
Anson Eldred.

On consideration of the motion to advance this cause, It is now here or-

dered by the Court that said motion be and the same is hereby granted. the time for the argument to be hereafter fixed by agreement of the parties.

per Mr. Justice Field.

1175 Erwin Davis, Appellant. vs. Angelica Wakelin.
1176 Erwin Davis, Appellant. vs. Pierce B. Cornwall.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Justice Field.

The Union Pacific Railway Company. vs. William O. Reddow.

In Error to the Supreme Court of the Territory of Utah.

45 Pff. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this

cause be, and the same is hereby, affirmed with costs.

Oscar Rice.
403 vs Def. in Error.
Jane Sauger, Admx. etc.

On consideration of the motion to dismiss herein, and of the argument of counsel thereupon had, as well in support of, as against the same,

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Field.

Oscar Rice.
1400 vs. Def. in Error.
Jane Sauger, Admx. etc.

On consideration of the suggestion of diminution of the transcript of the record, and motion for writ of certiorari herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Justice Field.

William Deering.
741. vs Appellant.
The Winona Harvester Works et al.

On consideration of the motion for leave to correct the transcript of the record in this cause,

It is now here ordered by the Court that leave be, and the same is hereby granted to the appellant to withdraw from the files of this Court the transcript of the record, and have the same returned to the Clerk of the Circuit Court for correction so that correct copies of the bill of complaint and decree may be inserted in the record, together with a certified copy of the opinion of the Circuit Court.

per Mr. Justice Field.

Charles Counselman.

1026 vs. Appellant.

Frank Hitchcock, U.S. Marshal etc.

On motion of Mr. Attorney General Miller,

It is ordered by the Court that this cause be, and the same is hereby re-assigned for argument on the first Monday of December next after the cases heretofore assigned for that day.

The United States

1027 vs. Pff. in Error.

The Western Union Telegraph Co. et al.

Mr. Attorney General Miller, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

The United States.
301. vs. Appellant.
The Colton Marble & Lime Co. et al.

Mr. Attorney General Miller of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

The United States.
1806. vs. Appellant.
The Southern Pacific R.R. Co. et al.

The United States.
1874. vs. Appellant.
The Southern Pacific R.R. Co. et al.
&
The United States.
1875. vs. Appellant.
The Southern Pacific R.R. Co. et al.

The United States.
1891. vs. Appellant.
David D. Budd et al.

Mr. Attorney General Miller, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

The District of Columbia.
1888. vs. Pltf. in Error.
Harry L. Hutton.

Mr. Solicitor General Taft, submitted to the consideration of the Court a motion to advance this cause.

James A. Simmons. — On motion of Mr. Solicitor General Capt. of
276 vs. Pff. in Error. — counsel for the defendant in error. It is order
The United States. — ed by the Court that this cause be, and the
same is hereby, advanced and assigned for argument on the first Monday of December next, with case No. 1191.

The United States. — Mr. Solicitor General Capt.
57 vs. Appellant. — of counsel for the appellant,
William Wilson. — submitted to the consider
ation of the Court a motion to advance this cause.

Mistinnwa Ekin. — Mr. Solicitor General Capt.
305 vs. Appellant. — of counsel for the appellee,
The United States. — submitted to the consid-
eration of the Court a motion to advance this cause.

The United States. — In Error to the Circuit
24 vs. Pff in Error. — Court of the United States
Clarinda Mc. Lean — for the District of Kansas

This cause having been called to the attention of the Court by Mr. Solicitor General Taft, of counsel for the plaintiff in error and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Justice Field.

Joel B. Erhardt, Collector of the Port of New York. v. Quinn Colw & Leopold L. Colw. — Plff. in Error. — In Error to the Circuit Court of the United States for the Southern District of New York.

1428.

This cause having been called to the attention of the Court by Mr. Solicitor General Taft, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Field.

The San Pedro & Canon del Agua Company. Appellant
vs.
The United States.

On motion of Mr. Solicitor General Dept. of counsel for the appellee, It is ordered by the Court that this cause be passed subject to the provisions of section 9. Rule 26.

John Boyd et al. Plffs. in Error.
vs.
The United States.

On motion of Mr. Assistant Attorney General Maury, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on the second Monday of December next.

Jesse Spalding, Collector &c. Plff. in Error.
vs.
George G. Hodder et al.

On motion of Mr. Solicitor General Dept, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

The Corporation of the Catholic Bishop of Nesqually in Washington Territory.

1345. vs. Appellant.

John Gibbon et al.

Mr. D. H. Carland, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

George Ralston.

942. vs. Appellant.

The British & American Mortgage Company (Limited) et al.

Mr. James Coundes, of counsel for the appellee, submitted to the consideration of the Court a motion to dismiss this appeal, pursuant to Rule 15.

The United States.

5. Original — vs. — Complainant.

The State of Texas.

Mr. Edgar Allen, of counsel for the complainant by leave of the Court filed a stipulation of counsel in regard to opening and publishing the depositions taken in this cause,

Whereupon, It is now here ordered by the Court that the Clerk do open and publish said depositions in pursuance of said stipulation.

No. 286. The Rumford Chemical Works. vs. John P. Smith, Jr. Joseph Smith & George L. Smith. Appellant. Appeal from the Circuit Court of the United States for the District of Maryland.

It appearing to the Court that an authority of counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered, adjudged & decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Field.

No. 287. The Wedge Block Pavement Company. vs. The City of Cleveland et al. Appellant. Appeal from the Circuit Court of the United States for the Northern District of Ohio.

It appearing to the Court that an authority of counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

	Thomas Knight.		The argument of this
224	vs.	Pff. in Error.	cause was continued
	The United Land Associations		by Mr. Charles
	et al.		W. Hoit, of counsel
			for the defendants

in error, and concluded by Mr. Edwin R. Taylor, of counsel for the plaintiff in error.

	J. McGregor Adams.		This cause was ar-
50	vs.	Pff. in Error.	gued by Mr. J. H. Bay-
	The Billaire Stamping		ward, of counsel for
	Company et al.		the plaintiff in error,
			and Mr. Lysander

Hill, of counsel for the defendants in error.

	J. Irving Pearce, Assignee &c.		The argument of
51	vs.	Appellant.	this cause was
	James H. Rice.		commenced by
			Mr. H. W. Jack-

son, of counsel for the appellant, and continued by Mr. L. H. Bisbee, of counsel for the appellee.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Tuesday, October 27th. 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Stephen J. Field.
John M. Harlan.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

51. J. Irving Pearce, Assignee etc. vs. James H. Rice. Appellant.

The argument of this cause was continued by Mr. L. A. Biobee, of counsel for the appellee, and concluded by Mr. H. W. Jackson, of counsel for the appellant.

52. The Patent Clothing Company, (Limited). vs. H. B. Glover and Co. Appellant.

The cause was argued by Mr. Cameron Browne, of counsel for the appellant

and Mr. G. W. Plympton of counsel for the appellee.

The American Tel & Tel Wire Co. vs. Jeff. in Error. Roland Worthington, Collade &c.

This cause was argued by Mr. Edward Hartley, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Parker, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until To-morrow at Twelve o' clock.

Wednesday, October, 28th, 1891.

Circuit to adjourn until the Court sit to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.

John M. Harlan.

Samuel Blatchford. Associate

Lucius Q. C. Lamar. Justices

David J. Brewer.

Henry B. Brown.

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Coxe it is ordered that Charles B. Miller, Esquire of Canton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Joel B. Sims. Appeal from the Circuit Court
vs. Appellant. of the United States for the
Julia Frances Sims Eastern District of Michigan

This cause having been called to the attention of the Court by Mr. P. J. Walker, of counsel for the appellants, and he having moved the Court to dismiss this cause. Therefore in pursuance of said motion, It is now here, ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Bertha Hammond (nee Bertha Hopkins) et al. vs. William B. Hopkins et al. — Appellants.

62.

On motion of Mr. George F. Edmunds, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby passed subject to the provisions of section 2, of Rule 26.

John Sparhawk et al. Assignees &c. vs. Charles C. Yerkes, Jr. et al.

56.

And

John Sparhawk et al. Assignees &c. vs. Shreve Ackley et al.

57.

Appellants.

These cases were argued by Mr. Thomas Mac Veagh of counsel for the appellants and

Mr. R.C. Orchard of counsel for the appellees

The Fire Insurance Association (Limited).
vs. Eff. in Error.
John W. Wickham Jr. et ab.

This cause was argued by Mr. G. I. Walker, of counsel for the plaintiff in error and Mr. G.A. Caufield and Mr. Joseph A. Beale of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Samuel Blatchford. Associate
Lucius L.C. Lamar. Justices.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Carleton Hunt it is ordered that Walter B. Sommerville, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Henry Wise Garnett it is ordered that Samuel M. Hunter, Esquire of Newark,

State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

D. H. Johnson
vs. Appellant.
The St. Louis, Iron Mountain and Southern Railway Co.
and
The St. Louis Iron Mountain and Southern Railway Co
vs. Appellant
D. H. Johnson.

Ordered by the Court that these cases be passed until to-morrow.

The Leadville Coal Co. et al.
vs. Appellant.
169. William Mc. Creery et al., Trustees etc.

This cause was argued by Mr C. C. Baldwin, of counsel for the appellees, and submitted on a printed argument by Mr. Henry Crawford, of counsel for the appellants.

Michael Leitz
vs. Piff. in Error.
61. The Brewers Refrigerating Machine Co.

This cause was argued by Mr. Esh

Power of counsel for the plaintiff in error. Mr. J. H. V. Arnold, of counsel for the defendant in error.

The Wilcox & Gibbs Sewing Machine Co.
64. vs. Pff. in Error.
Daniel L. Buring.

This cause was argued by Mr. Wayne MacVeagh of counsel for the plaintiff in error, and Mr. C. C. Duchard, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday October 30th 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W Fuller, Chief Justice.
Stephen J Field.
John M. Harlan.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices
David J. Brewer
Henry B. Brown.
John M. Wright, Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that G. P. Poché, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Earle it is ordered that J. M. Rothschild, Esquire, of San Francisco

State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Union Pacific Railway Company.	Appeal from the Circuit Court of the United States for the District of Colorado.
vs. Appellant.	
William G. Thompson and James K. Thompson.	

This cause having been called to the attention of the Court by Mr. John F. Dillon, of counsel for the appellant and he having moved the Court to dismiss this cause. Therefore in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Robert D. Hunter, Albert G. Browne, W. P. Bull and John Dorsey.	In Error to the Circuit Court of the United States for the Western District of Missouri.
vs. Petn. in Error.	
John L. Doyle.	

It appearing to the Court that an authority of counsel for the plaintiffs in error to dismiss this cause has been filed. Therefore in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Frank Murray and C. C. Rumrill. vs. The First National Bank of Montague, Texas.

Mr. Halbert E. Paine, of counsel for the defendant in error having filed in open Court the following certificate, to wit:

United States Court for the Indian Territory.

Montague.

I, William Wilson, Clerk of the United States Court for the Indian Territory, do hereby certify that in a certain law cause pending in said Court, and numbered No. 16 on the docket thereof, wherein The First National Bank of Montague, Texas, was complainant, and Frank Murray and C. C. Rumrill were defendants, a final decree was rendered by said Court on the

7th day of September, A.D. 1889 in favor of the complainants, The First National Bank of Muskogee, Texas, and against the defendants Grant Murray and B.B. Sumrill, and that on the 7th day of September A.D. 1889 said defendants, Grant Murray and B.B. Sumrill, prayed for a writ of error to the Supreme Court of the United States, which was on said last mentioned day duly allowed.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Court at Muskogee, Indian Territory, this 2nd day of June A.D. 1891

(Seal).

Wm. Wilson.

Clerk of the United States Court for the Indian Territory."

moved the Court to docket and dismiss the cause pursuant to the 9th rule: and it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity with the rules of this Court: It is now here ordered and adjudged by this Court that the writ of error in this cause to the United States Court for the Indian

Territory be, and the same is hereby, docketed & dismissed with costs: And that this cause be, and the same is hereby, remanded to the said United States Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

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60. A. H. Johnson. Appellant vs. The St. Louis, Iron Mountain and Southern Railway Co.

&

The St. Louis, Iron Mountain and Southern Railway Co. Appellant vs. A. H. Johnson.

The argument of this cause was commenced by Mr. J. J. Horner, of counsel for Johnson, continued by Mr. John F. Dillon of counsel for the Railway Co. and concluded by Mr. Augustus H. Garland, of counsel for Johnson.

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55. The Kaukauna Water Power Company et al. Plffs. in Error. vs. The Green Bay and Mississippi Canal Company

The argument of this cause was commenced by Mr. Agred

A. Gary, of counsel for the plaintiffs in error, and continued by Mr. Moses Hooper, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday November 2d. 1891

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice

Stephen J. Field.

John M. Harlan.

Horace Gray. Associate

Samuel Blatchford Justices

Lucius L. C. Lamar

David J. Brewer.

Henry B. Brown

John W. Wright, Esquire, Marshal.

James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Austin M. Keen Esquire of Fort Scott, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. J. Gray it is ordered that John

J. Dayton, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Edward L. Mc Clain,		Appeal from the Cir-
44.	vs. Appellant.	cuit Court of the Un-
Andrew Ortmayer and		ited States for the North-
Carl G. Ortmayer.		ern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Julia A. McLean & George E. McLean,		Appeal from the
91.	vs. Appellants.	Circuit Court
Ruggles W. Clapp, Abigail L. Hackett,		of the United
Sarah A. Clapp, Administratrix & Fletcher		States for the
D. Clapp, Eva N. Wink, & Mary L. Shaw		Northern Dis-
heirs at law of Henry Clapp, dec'd, et al.		trict of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

(The Chief Justice, Mr. Justice Bradley, and Mr. Justice Gray did not hear the argument nor take any part in the decision of this case).

58. Sylvester H. Knee and. vs. Charles L. Luce and John T. Hunton. Appellant. Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and

the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Indiana.

per Mr. Justice Brewer.

(The Chief Justice, Mr. Justice Bradley and Mr. Justice Gray did not hear the argument nor take any part in the decision of this case).

The Crosby Steam Gage and Valve Company.		Appeal from the Circuit Court of the
199.	v. Appellant.	United States for
The Consolidated Safety Valve Company.		the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that decrees bear in the Courts of the

State of Massachusetts.

per Mr. Justice Blatchford

(Mr. Justice Gray was not present at the argument and took no part in the decision of this case).

1177. The United States. vs. Jeff. in Error. The Western Union Telegraph Co. et al. On consideration of the motion to advance this cause, It is now here ordered by the Court that said mot ion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1157. The United States. vs. Appellant. William Wilson. On consideration of the motion to advance this cause, It is now here ordered by the Court, that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of January next.

per Mr. Chief Justice Fuller.

1301. The United States, Appt. vs. The Potter Marble & Lime Co. et al.
1302. " " " " " The Southern Pacific R.R. Co. et al.
1374. " " " " " " " " " " " "
1375. " " " " " " " " " " " "

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on the second Monday of January next after the cause heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1338. The District of Columbia vs. Peff. in Error. Harry S. Hutton.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday of January next after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Corporation of the Catholic Bishop of Nesqually, in Washington Territory.
1346 vs. Appellant.
John Gibbon et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The United States.
1341 vs. Appellant.
David O. Budd et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday of January next after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Mashimura Okiw.
1393. vs. Appellant.
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for

argument on the second Monday of December next after the cause hereafter assigned for that day. per Mr. Chief Justice Fuller.

Edward H. Norris
1051. vs. Appellant.
The United States et al.

Mr. Solicitor General Clerk of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

Henry W. Rector.
1040. vs. Appellant.
Wilder Lipscomb.

On motion of Mr. H. J. Way, of counsel for the appellant, leave is hereby granted counsel for appellant to file a supplemental brief herein.

The Mutual Reserve Fund Life Association
1000. vs. Pff. in Error.
William C. Woodson et al.

Mr. H. J. Way, in behalf of counsel submitted to the consideration of the Court a stipulation that the judgment of the Circuit Court herein be reversed.

Jabez G. Swale et al. vs. Charles K. Mitchell — Mr. H. J. Way, in behalf of counsel, submitted to the consideration of the Court a motion

48. to advance this cause.

52. William Wright, Appellant vs. David E. Yeungling &c.
53. William Wright, Appellant vs. Johnston Beggs.

On motion of Mr. H. J. Way, in behalf of counsel, It is ordered by the Court that these cases be passed, subject to provisions of section 9, Rule 26.

Ex parte: In the matter of Law Ow Kew, Petitioner. — On petition of Law Ow Kew for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit were submitted to the consideration of the Court on a printed argument by Mr. J. Hubley Ashton, and Mr. Thomas L. Riordan, in support of the same.

Marian W. McGilvra et al. vs. Henry F. Roeschlaub. — Appellants. — Appeal from the Circuit Court of the United

396.

States for the District of Colorado.

This cause having been called to the attention of the Court by Mr. W. Hallett Phillips in behalf of counsel and an authority of counsel for the appellants to dismiss this cause having been filed. Therefore in pursuance of said authority, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Marian W. McIntyre et al. vs. Appellants. Henry G. Roeschlaub. 39

On motion of Mr. W. Hallett Phillips, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

The Kaukauna Water Power Company et al. vs. Plffs. in Error. The Green Bay & Mississippi Canal Co. 55

The argument of this cause was continued by Mr. Moses Hooper of counsel for the defendant in error, & concluded by Mr. D.S. Ordway, of counsel for the plaintiffs in error.

The New Orleans Water Works Co. vs. Appellant.
66 The Southern Brewing Co.
The New Orleans Water Works Co. vs. Appellant.
67 The People's Ice Manufacturing Co.
The New Orleans Water Works Co. vs. Appellant.
68 The Magnolia Oil & Soap Works.

These cases were argued by Mr. A. B. Beckwith, of counsel for the appellant and Mr. George Denegre and Mr. Charles W. Nimmo of counsel for the appellee in No. 68 and Mr. Alfred Goldthwaite, of counsel for the appellee in Nos. 66 and 67 submitted a printed argument.

The City of New Orleans et al. vs. Peffs. in Error.
632 The New Orleans Water Works Co. et al.
&
Edward Conery Jr., et al. vs. Peffs. in Error.
639 The New Orleans Water Works Co. et al.

The argument of these cases was commenced by Mr. Carl Lou Hunt, of counsel for the plaintiff in error in No. 632.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

807. The Kansas City, St. Joseph & Council Bluffs Railroad Co. vs. The Chicago, St. Paul & Kansas City Railway Co. Appellants.

Mr. J. M. Woolworth of counsel for the appellants, submitted to the consideration of the Court a stipulation to reverse the decree of the Circuit Court in this cause.

Florence W. Watson. vs. Grant E. De Wolf et al. No. 150. Appellant.

Mr. A. C. Brown, of counsel for the appellee, having filed in open Court the following certificate, to wit:

In the Circuit Court of the United States. Ninth Judicial Circuit. Northern District of California.

I, L. S. C. Sawyer, Clerk of the Circuit Court of the United States, Ninth Judicial Circuit, in and for the Northern District of California, do hereby certify that in a certain cause pending in said Circuit Court, wherein Florence W. Watson was complainant and Grant E. De Wolf, Isabella B. De Wolf and Horace W. Barnes were defendants, a final decree was rendered by said Circuit Court on the 7th day of July, A. D. 1890, in favor of the said defendants, and against the said complainant, and that on the 29th day of September A. D. 1890, said complainant prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof, I have hereunto set my hand, and affixed the seal of said Cir-

{Seal}. Cuit Court this 14th day of October, A.D. 1891.
L.S.B. Sawyer.
Clerk U.S. Circuit Court
Northern District of California"

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the appellant has failed to have her cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Northern District of California, be, and the same is hereby, docketed and dismissed with costs: and that this cause be and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

The United States.
5. Original — vs. — Complainant
The State of Texas.

On motion of Mr. R. J. Hill, in behalf of counsel for the complainant, leave is hereby granted

to file notice as to motion for leave to file certain documentary evidence therein and the evidence therein mentioned, be subject to the right of exception by the defendants.

1211. Romeo Lewis et al. Plffs. in Error vs. Abraham Barnhart et al.
1212. Romeo Lewis et al. Plffs. in Error vs. Joseph Phillips et al.
1213. Romeo Lewis et al. Plffs in Error vs. Andrew Johnson et al.
1214. Romeo Lewis et al. Plffs in Error vs. Amos Wicks et al.
1215. Romeo Lewis et al. Plffs. in Error vs. Oliver M. Roe et al.
1216. Romeo Lewis et al. Plffs. in Error vs. Cecilia Bower et al.
1217. Romeo Lewis et al. Plffs. in Error vs. Felicia Bower.

These cases were submitted to the consideration of the Court, pursuant to the 40th rule, on the records in Nos. 1211 and 1212 and printed arguments by Mr. S. D. Peterbaugh, of counsel for the plaintiffs in error & Mr. R. E. Williams of counsel for the defendants in error.

Andrew Olsson.		In Error to the Supreme
791	vs. Plff. in Error.	Court of the State of
H. W. Cox.		Kansas.

This cause being called for hearing in its reg

ular orders, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be & the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The City of New Orleans et al.
635. vs. Peffs. in Error.
The New Orleans Water Works Co. et al.

&

Edward Conery Jr., et al.
639. vs. Peffs. in Error.
The New Orleans Water Works Co. et al.

The argument of this cause was continued by Mr. Carleton Hunt, of counsel for the plaintiffs in error in No. 635, and Mr. J. R. Beckwith and Mr. E. A. Breaux, of counsel for the defendants in error, and concluded by Mr. E. A. Rochè of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday November 7th 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

118. James H. Fisk. vs. Deft. in Error. D. V. B. Hunaire et al. — On motion of Mr. J. M. Mitchell, of counsel for the plaintiff in error, leave is hereby granted him to file an assignment of errors herein.

80. The County of Bay. vs. Deft. in Error. Jane A. Douglass. — In Error to the Circuit Court of the United States for the Eastern District of Michigan.

The cause being called for hearing in the regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney.

69. David K. E. Carnochan et al. vs. Joseph Duffner. Appellants. This cause was argued by Mr. H. J. Way, of counsel for the appellants and Mr. H. W. Russell, of counsel for the appellee.

70. Henry M. Myers. vs. The Ocean Steam Co. Appellant. This cause was argued by Mr. W. Baker, of counsel for the appellant, and Mr. Francis T. Chambers, of counsel for the appellee.

71. James B. Thompson et al. vs. George W. Baker et al. Plff. in Error. This cause was submitted to the consideration of the Court on

the record and printed arguments by Mr. D. A. McKnight, of counsel for the plaintiff in error, and Mr. Laurie Robertson, of counsel for the defendants in error.

F. J. Lang et al.
vs.
U. S. Woods.
Pffs. in Error.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John Johns of counsel for the plaintiffs in error. No counsel appeared for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the today by Mr. Read and Attorney General Harmon, it is ordered that J. Gibbons, Esquire, of Lexington, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this today by Mr. J. A. Baldwin it is ordered that

W. B. Dodge, Esquire of Fargo, State of North Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

81. James B. Innis. vs. Henry Bottom, William Lucas, Administrators of Abel Strubing, deceased, & William Lucas Administrator of Henry Ludlum, deceased. Appellant. Appeal from the Supreme Court of the Territory of Idaho.

It appearing to the Court that an authority of counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said authority. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Idaho.

per Mr. Chief Justice Fuller.

William Hayward. Appeal from
82. vs. Appellant. the Supreme
Henry Bolton, William Quail, Court of the
Administrator of Albert Humburg, de- Territory of
ceased & William Quail, Adminis- Idaho.
trator of Henry Ludlum, deceased.

It appearing to the Court that an authority of counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said authority. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs: And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Idaho

per Mr. Chief Justice Fuller.

Gus Larson. In Error to the Su-
83. vs. Pff in Error. preme Court of the
Charles L. Cox. State of Kansas.

This cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the trans-

cript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Henry L. Woodruff. Appeal from the Circuit
351. vs. Appellant. Court of the United States for
Lawrence Carr. the District of Minnesota.

This cause being called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Eureka Spindle Appeal from the Cir-
Company. cuit Court of the
588. vs. Appellant. United States for the
The Sawyer Spindle District of Mass-
Company. achusetts.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

Andrew W. Smith. This cause was
75. vs. Appellant. submitted to the
The New Orleans Canal & consideration of
Banking Co. et al. the Court on the
record and print-
ed arguments by Mr. J. Ward Hurley Jr. of counsel for the appellant and Mr. Henry C. Miller, Mr. J. L. Bradford and Mr. E. A. Brown, of counsel for the appellees.

The United States. This cause was argued
76. vs. Appellant. by Mr Assistant Attor-
The Union Coal Co. ney General Maury, of
counsel for the appel-
lant and Mr. John F. Dillon, of counsel for the appellee.

77. Frederic P. Olcott et al. vs. Appellants. O. B. Headrick.

This cause was argued by Mr. H. H. Ingersoll, of counsel for the appellee and submitted on a printed argument by Mr. W. H. Butler of counsel for the appellants.

78. Lebbeus H. Rogers. vs. Pff. in Error. The United States.

This cause was argued by Mr. George Bliss of counsel for the plaintiff in error, and Mr. Solicitor General Taft, of counsel for the defendant in error.

84. The Simmons Creek Coal Company et al. vs. Appellants. Joseph T. Doran.

The argument of this cause was commenced by Mr. A. W. Reynolds, of counsel for the appellants.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Friday, November 6th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

118. James A. Pirtle. vs. Plff. in Error
D. U. S. Navaire et al.

Mr. J. M. Dolph, of counsel for the defendant in error submitted to the consideration of the Court a motion to vacate the order entered herein granting the plaintiff in error leave to file an assignment of errors and to strike the assignment of errors from the files.

91. Schuyler's Steam Tow Boat Line vs. John Salisbury. Pff. in Error. In Error to the Supreme Court of the State of New York.

The cause having been called for hearing in its regular order and it appearing to the Court that the plaintiff in error has failed to comply with the provisions of the order entered herein on October 19th, 1891. Therefore, in pursuance of said order It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

94. John Carroll, vs. The Duluth Lumber Company. Appellant. Appeal from the Circuit Court of the United States for the District of Minnesota.

The cause being called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is thereupon, in pursuance of the 10th rule of this Court, now here

ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Pacific Express Co.
95. vs. Pff. in Error.
The Taxing District of Shelby County, Tennessee.

This cause was submitted to the consideration of the Court on the record and a confession of error and consent to a reversal of the judgment herein by L. P. Walker of counsel for the defendant in error.

Charles L. Pickless et al.
97. vs. Pffs. in Error.
The Taxing District of Shelby County, Tennessee.

Ordered by the Court that this cause be, and the same is hereby, assigned for argument on the 9th instant after the cases heretofore assigned for that day.

The Lummus Cruck Coal Co et al.
8[illegible] vs. Appellants.
Joseph T. Doran.

The argument of this cause was continued by Mr.

A. W. Reynolds, of counsel for the appellants. Mr. J. A. Ferguson, of counsel for the appellee, and concluded by Mr. Reynolds for the appellants.

88. Thomas Craig, Adm'r. etc. vs. The Continental Insurance Co. of New York. Cyp. in Error

The argument of the cause was commenced by Mr. Don M. Dickinson, of counsel for the plaintiff in error, and continued by Mr. G. A. Caufield, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. November. 9th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in the behalf by Mr. A. H. Garland it is ordered that Marcus A. Brandenburg, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in the be-

Day by Mr. A. M. Gould it is ordered that Edward L. Scarritt, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Blair Lee it is ordered that Spencer Clinton, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. H. Canfield it is ordered that Charles J. Willett, Esquire, of St. Louis, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. M. Patterson it is ordered that C. C. Hughes, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John Mc. Creary.		Appeal from the Circuit
574 vs.	Appellant.	Court of the United States
The Pennsylvania Canal		for the Eastern District
Company.		of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

(Mr. Justice Bradley and Mr. Justice Gray were not present at the argument and took no part in the decision of this cause).

The American Mail Steamship		In Error to the
Company.		Circuit Court of
55. vs.	Pff. in Error.	the United States
Ford and Worthington, Collectors of		for the District
Customs for the District of Boston		of Massachu-
and Charlestown.		setts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brown.

(Mr. Justice Bradley and Mr. Justice Gray were not present at the argument and took no part in the decision of this cause).

Bruen Davis. — Appeal from the Circuit Court
984. vs. Appellant. — of the United States for the
Algernon S. Patrick. — District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideral-

ure whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Nebraska

per Mr. Justice Brewer.

(The Chief Justice, Mr. Justice Bradley and Mr. Justice Gray were not present at the argument and took no part in the decision of this cause).

The Leadville Coal Company, Charles S. Worden, George W. Ayer and Amy G. Ayer. vs. William Mc. Drury, Henry Cobb, B. C. Baldwin & Cecil A. Snow, Trustees et al.

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

969

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the de-

cuit of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

(Mr. Justice Bradley and Mr. Justice Gray were not present at the argument and took no part in the decision).

The Metropolitan National Bank

vs. Pff. in Error.

Summer S. Clagett and Charles E. Pickering, Administrators of James H. Paine, deceased.

In Error to the Supreme Court of the State of New York.

1064

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

Sylvester H. Kneeland		Appeal from the
39.	vs.	Circuit Court of
D. L. Luce & Company, John		the United States
O'Neil on the National State		for the District
Bank of Mt. Pleasant, Iowa et al.		of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that such similar decree bear in the Courts of the State of Indiana, as to all the appellees, except the First National Bank of Mount Pleasant, Iowa, W. W. Whitney and Co, H. B. Bowers Emily Wareham Glow, T. P. M. Boone Hugh Dougherty and William J. Craig, and as to them the appeal is dismissed for want of jurisdiction.

per Mr. Justice Blatchford.

(Mr. Justice Gray was not present at the argument & took no part in the decision of this cause).

	Mrs. Sarah C. Marshall		In Error to the Court
28.	vs.	Pff. in Error.	of Appeals for the
	Henry B. Holmes, Sheriff		Second Circuit of
	and David Mayer.		Louisiana

This cause came on to be heard on the transcript of the record from the Court of Appeals for the Second Circuit of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Court of Appeals for such proceedings as are consistent with the opinion of this Court.

Per Mr. Justice [illegible]

	The Moline Plow Company.		In Error to the Cir-
227.	vs.	Pff. in Error.	cuit Court of the
	John A. Webb & Brother, a firm		United States for
	composed of John A. Webb &		the Western Dis-
	Joseph W. Webb.		trict of Texas

This cause came on to be heard on the trans-

cript of the record from the Circuit Court of the United States for the Western District of Texas; and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial and for further proceedings consistent with the opinion of this Court.

per Mr. Justice Harlan.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this cause).

The Northern Pacific R.R.Co. vs. George Hamby. 784. Pff. in Error.

On consideration of the motion to dismiss herein, and of the argument of counsel thereupon had as well in support of, as against the same, It is now here ordered by this Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Eugene Logan et al.
236. vs. Pffs. in Error.
The United States.

&

Eugene Logan et al.
1315. vs. Appellant.
George A. Knight, U.S. Marshal.

On consideration of the motion to advance these cases and for leave to prosecute same in forma pauperis. It is now here ordered by the Court that the motion to advance be, and the same is hereby, granted and the cases assigned for argument on the second Monday of January next after the cases heretofore assigned for that day; and that the motion for leave to prosecute in forma pauperis be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Edward H. Horner.
1051. vs. Appellant.
The United States et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday of January next, after the cause heretofore assigned for that day.

Jabez G. Lewis et al.
1418. vs.
Charles A. Mitchell.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday of January next after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

James H. Pirie.
118. vs. Pff. in Error.
D. H. B. Henaris et al.

On consideration of the motion to vacate the order granting plaintiff in error leave to file an assignment of errors herein and to strike the assignment of errors from the files. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

George Ralston.
916 vs. Appellant.
The British & American Mortgage Company, Limited, and William B. Scattuck.

Appeal from the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on a motion filed and submitted by Mr. James Lowndes of counsel for the appellee to dismiss this cause in pursuance of the 15th rule of this Court. On consideration whereof, It appearing to the Court that new parties have not been substituted for George Ralston, deceased, as appellants in this cause as provided by the order of publication issued herein, and proof of publication of said order having been filed; It is thereupon, in pursuance of the 15th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Pacific Express Co. In Error to the
95. vs. Peff. in Error. Supreme Court
The Paving District of of the State of
Shelby County, Tennessee. Tennessee.

This cause having been called for hearing in its regular order and a confession of error and consent that the judgment herein be reversed having been filed Therefore It is

now here ordered and adjudged by this Court that the judgment of the Supreme Court of the State of Tennessee in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

807. The Kansas City, St. Joseph & Council Bluffs Railroad Co. Appellant, vs. The Chicago, St. Paul & Kansas City Railway Company. Appeal from the Circuit Court of the United States for the Western District of Missouri.

This cause having been called to the attention of the Court by Mr. J. M. Woolworth, of counsel for the appellant, and a stipulation to reverse the decree of the Circuit Court having been filed. Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; each party to pay one-half of the costs in this Court; and that this cause be, and

the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller

The Mutual Reserve Fund Life Association.

vs.

William P. Woodson et al.

In Error to the Circuit Court of the United States for the Eastern District of Virginia

000. Pff. in Error.

This cause having been called to the attention of the Court by Mr. H. J. May, in behalf of counsel, and a stipulation to reverse the judgment of the Circuit Court herein having been filed. Therefore, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed for the want of jurisdiction in said Court Clerk's costs to be paid by the plaintiff in error. and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand the case to the State Court

per Mr. Chief Justice Fuller.

The Mutual Reserve Fund Life Association	Ordered by the Court that the Clerk have leave to issue the mandate in this cause.
1000. vs. Pff. in Error.	
William C. Woodson et al.	

Michael Seitz	In Error to the Circuit Court of the United States for the Eastern District of New York.
vs. Pff. in Error.	
The Brewers Refrigerating Machine Company.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

Mr. Justice Bradley and Mr. Justice Gray were not present at the argument and took no part in the decision of this cause.

The United States. Appeal from the
348 vs. Appellant. Court of Claims
Abner Hazeltine

This cause having been called to the attention of the Court by Mr. Solicitor General Taft, of counsel for the appellant, and a stipulation to dismiss the cause having been filed. Therefore in pursuance of said stipulation it is now here ordered and adjudged by this Court that this appeal & the cause is hereby dismissed.

per Mr. Chief Justice Fuller.

E. L. Fiddler late Collector &c. On motion of Mr.
98. vs. Pff. in Error. Solicitor General
Edward I. Horsman. Taft, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

C. A. Cox et al. Mr. W. Hallett Phillips, of
128. vs. Plffs in Error. counsel for the defendant
E. J. Hart. in error submitted to the consideration of the Court a motion for leave to the Clerk to issue a cer-

signed copy of the judgment entered herein on October 13th, 1891

Eugene Beebe et al. Mr. W. L. Woods, of
171 O.C. 1890 — vs. — Plffs. in Error. counsel for the plaintiffs in error, submitted to the con-
The United States.

sideration of the Court a motion to recall the judgment entered herein on April 27th, 1891 and to recall and cancel the mandate issued herein, and for leave to file the transcript of the record and docket the cause. Whereupon leave was granted Mr. Solicitor General Taft to file brief in opposition thereto, and Mr. Woods to file a reply thereto on or before Monday next.

The Gulf Colorado & Santa Fe Railway Co. Mr. A. B. Browne
of counsel for
1310. vs. Plff. in Error. the plaintiff in
Ireby and Lewis error, submitted to the con-

sideration of the Court a motion to advance the cause.

E. Walle and Co.
199 vs. Appellants.
Wade R. Young et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Wade R. Young, in support of the same, and Mr. John Johns in opposition thereto.

The Town of Andes.
376. vs. Pet. in Error.
Dudley P. Ely.

The motion to dismiss or advance in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. B. Gleason, in support of the same, and by Mr. J. H. Maynard, in opposition thereto.

The Pacific Express Co.
183. vs. Appellant.
James W. Seibert, State Auditor et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. W. Morsman, of counsel for the appellant and Mr. J. M. Wood, of counsel for the appellees.

88 Thomas Craig, Admr. &c. vs. The Continental Insurance Co. of New York. Pff in Error.

The argument of the cause was concluded by Mr. G. H. Caufield, of counsel for the defendant in error.

Ex parte: In the matter of Thomas Henry Cooper Original Petitioner.

On motion of Mr. Patterson Carlisle, of counsel for the petitioner, Ordered by the Court that counsel on each side be allowed one hour additional to the argument of this case.

Ex parte: In the matter of Thomas Henry Cooper Original Petitioner.

The argument of the cause was commenced by Mr Patterson Carlisle of counsel for the petitioner, and continued by Mr. Solicitor General Taft, of counsel for the respondent.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Tuesday. November. 10th. 89.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray
Samuel Blatchford
Lucius L. C. Lamar
David J. Brewer.
Henry B. Brown.
Associate Justices.

John M. Wright. Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. P. H. Carter it is ordered that Joseph W. Kinney, Esquire, of Helena, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

049. C. W. Boyd et al Appellants vs The United States et al.
050. Chas. Strubrad et al. Appellants, vs The United States

1033 Marshall Burd & Co. Appellant vs J. W. Clark, Collector etc.
1061 The United States, Appellant, vs Gallin, Joseph & Co.

On motion of Mr. Solicitor General Cast, it is ordered by the Court that these cases be, & they are hereby, re-assigned for argument on Monday the 30th instant.

190. James G. Waterman, Executrix etc. vs. James W. Banks, Executor etc. — Appellant.
And
191. J. L. Porter, vs. James W. Banks, Executor etc. — Appellant.

On motion of Mr. George P. Edmunds, of counsel for the appellants, leave is hereby granted him to file assignments of errors in these cases.

6 Original — Ex parte: In the matter of Thomas Henry Cooper, — Petitioner

The argument of this cause was continued by Mr. Solicitor General Cast and Mr. Attorney General Miller of counsel for the respondent, and concluded by Mr. Joseph K. Groate, of counsel for the petitioner.

Proclamation being made the Court is adjourned until

Wednesday. November. 11th. 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. A. Sleeper it is ordered that Joel W. Longenecker, Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Schooner Sylvia Handy etc. The argument
58. vs. Appellants of this cause
The United States. was commenced by Mr. W. L. Johnson, of counsel for the appellants, continued by Mr. Solicitor General Taft and Mr. Attorney General Maury, of counsel for the appellee, and concluded by Mr. Calderon Carlisle of counsel for the appellants.

Bertha Hammond (sued as The argument of
Bertha Hopkins) et al. this cause was
62. vs. Appellants. commenced by
William B. Hopkins et al. Mr. Walter D. Davidge, of counsel for the appellants, and continued by Mr. Samuel L. Phillips of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday. November 12th. 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. F. Halbam it is ordered that William J. Hendrick, Esquire, of Frankfort, State of Kentucky be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Kentucky Central Railroad Company.
775 vs. Plff. in Error.
The Commonwealth of Kentucky.

Mr. William G. Newdrick, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

Bertha Hammond (sued as Bertha Hopkins) et al.
62. vs. Appellants.
William B. Hopkins et al.

The argument of this cause was continued by Mr. Samuel Stallabarger, of counsel for the appellees, and concluded by Mr. George B. Edmunds of counsel for the appellants.

Simon E. Kalb et al.
90. vs. Plffs. in Error.
John H. Bordell et al.

This cause was argued by Mr. J. A. Harper, of counsel for the plaintiffs in error, and Mr. Ashley M. Gould, of counsel for the defendants in error.

Ex parte: In the matter of Frank D. Sturges. Petitioner.

Mr. W. E. Dodge, in behalf of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, November, 13th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. B. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

In parte: In the matter of Frank D. Sturges, Receiver. Petitioner.

On consideration of the motion for leave to file a petition for a writ of prohibition herein, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Robert Craig et al.
79. vs. Pffs. in Erro.
Brainard H. Warner.

Ordered by the Court that this cause be, and the same is hereby continued until the next term per stipulation of counsel.

Statesman County.
89. vs. Appellant.
Charles S. Wallace et al.

This cause was argued by Mr. John F. Dillon of counsel for the appellant, & Mr. W. B. Dodge, of counsel for the appellee.

The Desert Salt Co.
96. vs. Pff. in Error.
D. P. Parsey.

On motion of Mr. W. H. H. Miller, of counsel for the defendant in error, It is ordered by the Court that this cause be assigned for argument after case No. 97.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

59. The Fire Insurance Association (Limited). vs. Pff. in Error. John W. Wickham, Junior, & William B. Comstock. In Error to the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with cists and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

per Mr. Justice Brown.

Mr. Justice Bradley and Mr. Justice Gray did not hear the argument nor take any part in the decision of this cause).

Henry M. Rector, Appellant, vs. Walida Lipscomb. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

40

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the

writ of jurisdiction.

per Mr. Justice Brewer.

Mr. Justice Bradley and Mr. Justice Gray did not hear the argument or take part in the decision of this case).

The Talent Clothing Company (Limited).

vs.

H. B. Clover, John C. Clover, L. McGivell & D. J. Parker, composing the firm of H. B. Clover & Company.

Appeal from the Circuit Court of the United States for the Southern District of New York.

52. Appellants.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

(Mr. Justice Bradley & Mr. Justice Gray did not hear the argument or take part in the decision of this cause).

E. C. Cross and Frank R. Cross, a minor by his guardian ad litem E. C. Cross.
vs. Appellants.
John De Witt Allen, Administrator of L. H. Allen, deceased et al.

Appeal from the Circuit Court of the United States for the District of Oregon.

23

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Lamar.

Frederic P. Olcott, Charles M. McGhee, Frederick O. Prince, George Warren Smith and Edmund W. Corlies.
vs. Appellants
O. B. Headrick.

Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

47

This cause came on to be heard on the tr...

cript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Tennessee.

per Mr. Justice Bradley.

Lebbeus H. Rogers vs. The United States. In Error to the Circuit Court of the United States for the Southern District of New York.

78

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Bradley.

A. H. Johnson.		Appeal from the District
60.	vs. Appellant:	Court of the United
The St. Louis, Iron Mountain &		States for the Eastern
Southern Railway Company.		District of Arkansas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Dissenting:

Mr. Justice Lamar.

(Mr. Justice Gray was not present at the argument and took no part in the decision).

The St. Louis, Iron Mountain &		Appeal from the District
Southern Railway Company,		Court of the United
71	vs. Appellant	States for the Eastern
A. H. Johnson.		District of Arkansas.

This cause came on to be heard on the trans-

cript of the record from the District Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Blatchford.

(Mr. Justice Gray was not present at the argument and took no part in the decision).

The Wilcox & Gibbs Sewing Machine Company, Plff. in Error. vs. Daniel S. Ewing. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, with costs: and that this cause be, and the same is hereby, re-

remanded to the said Circuit Court with directions to grant a new trial and for further proceedings consistent with the opinion of this Court.

per Mr. Justice Harlan.

Mr. Justice Bradley and Mr. Justice Gray did not hear the argument or take any part in the decision of this case.

72. James C. Thompson. vs. Geo. W. Baker and H. B. Schuler. — Def. in Error. — In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Harlan.

	J. Mc. Gregor Adams.	In Error to the Cir-
30.	vs.	cuit Court of the
	The Bellaire Stamping Com-	United States for
	pany, J. C. Mercer and B. A.	the Southern Dis-
	Tallman.	trict of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

	E. B. Dorsett.	On consideration of the
128.	vs.	motion for leave to the
	E. J. Hart.	Clerk to issue a certi-
		fied copy of the judg-

ment entered herein on October 18th, 1891. It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

B. Walle and Co.
099. vs. Appellants.
Wade R. Young et al.

On consideration of the motion to dismiss herein and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

The Gulf, Colorado & Santa Fe Railway Company.
310. vs. Pff. in Error.
Hefley and Lewis.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

The Town of Andes.
376. vs. Pff. in Error.
Dudley P. Ely.

On consideration of the motion to dismiss or advance herein, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said motion be,

and the same are hereby, denied.

per Mr. Chief Justice Fuller.

The Kentucky Central Railroad Company. vs. The Commonwealth of Kentucky. 995. Pet. in Error. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The New Orleans Water Works Company. vs. The Southern Brewing Co. 66 Appellant. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and

the same is hereby, affirmed with costs

The New Orleans Water Works Company.		Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.
67.	vs. Appellant.	
The Peoples Ice Manufacturing Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

The New Orleans Water Works Company.		Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.
68.	vs. Appellant.	
The Maginnis Oil and Soap Works.		

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion. It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, affirmed with costs.

J. C. Lang, Henry Greathouse & O. L. Bouard		In Error to the Circuit Court of the United States for the Northern District of Texas.
78. v.	Cliffe in Error.	
U. S. Woods.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the

State of Texas.

Ex parte: In the matter of Lau Ow Bew. Petitioner. On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit and of the argument of counsel thereupon had in support thereof, It is now here ordered by the Court that said petition be, and the same is hereby, granted, as prayed.

per Mr. Chief Justice Fuller.

The American Net & Twine Company. vs. Plff. in Error. 55. Roland Worthington, Collector &c. On motion of Mr. Solicitor General Taft, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

The Chicago, St. Paul, Minneapolis & Omaha Railway Co. vs. Plff. in Error. 417. John Roberts. On motions to dismiss or affirm in this cause were submitted to the

consideration of the Court on the record and printed arguments by Mr. W. A. Day and Mr. A. L. Mc. Donald, in support of the same & Mr. Enoch Totten and Mr. J. H. Stowe, in opposition thereto.

The Crosby Steam Gage & Valve Company.
997 vs. Appellant.
The Consolidated Safety Valve Company.

On motion of Mr. Thomas Wm Clarke, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

In re: In the matter of Edward W. Kallinger.
1406 Appellant.

On motion to dismiss or affirm in this cause were submitted to the consideration of the Court by Mr B. F. Whitwell in support of the same.

Edward Barr Company, (Limited) & William L. Gray.		Appeal from the Circuit Court of the United States for the Southern District of New York
100.	vs.	Appellants.
The New York & New Haven Automatic Sprinkler Co.		

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Bradford Gas Light & Heating Company.		Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.
101.	vs.	Appellant.
The Elyria Light & Heat Company.		

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to

print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

7. Orig. Ex parte: In the matter of John L. Rapier, Petitioner
8. Orig. Ex parte: In the matter of George W. Dupre, Petitioner
9. Orig. Ex parte: In the matter of George W. Dupre, Petitioner

On motion of Mr. James C. Carter, of counsel for Dupre, It is ordered by the Court that counsel for the petitioners and respondents be allowed three hours respectively for the argument of these cases.

7. Orig. Ex parte: In the matter of John L. Rapier, Petitioner
8. Orig. Ex parte: In the matter of George W. Dupre, Petitioner
9. Orig. Ex parte: In the matter of George W. Dupre, Petitioner

The argument of these cases was commenced by Mr. Hannis Taylor, of counsel for the petitioner Rapier and continued by Mr. Assistant Attorney General Maury, of

counsel for the respondents, and Mr. James C. Carter, of counsel for the petitioner Dupre.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock

Tuesday, November. 17th., 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The State of Iowa. Complainant.
vs.
The State of Illinois

On motion of Mr. John F. Dillon, of counsel for the complainant, leave is hereby granted to file the Bill of Complaint, Answer, Cross-Bill, Answer to Cross-Bill, and Replication of the complainant to answer of defendant herein.

Mr. Stone also submitted to the consideration of the Court a motion to fix a day for the argument of this case.

Frank A. Chandler, as Trustee & Executor, et al. vs. Appellants. Josephine Dewey et al. 348

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. P. C. Dorsey, of counsel for the appellants, and Mr. George H. Smith and Mr. John Maynard Harlan, of counsel for the appellees.

The Arkadelphia Queen Mining Company. vs. Plff. in Error. William De Witt. 105

In Error to the Supreme Court of the State of California.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the Transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court

that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Crim. Ex parte: In the matter of John L. Kapier, Petitioner.

Crim. Ex parte: In the matter of George W. Dupre, Petitioner.

Crim. Ex parte: In the matter of George W. Dupre, Petitioner.

The argument of these cases was continued by Mr. James B. Carter, of counsel for the petitioner Dupre, & Mr. Attorney General Miller, of counsel for the respondents, & concluded by Mr. Thomas J. Semmes, of counsel for the petitioner Dupre.

644 The People of the State of New York ex rel: Edward Duncan. vs. Off. in Error. Andrew D. Walsh, Police Justice &c.

645 The People of the State of New York ex rel: Francis B. Pinto. vs. Off. in Error. Andrew D. Walsh, Police Justice &c.

The argument of these cases was commenced by Mr. B. F. Tracy, of counsel for the plaintiffs in error in the 644 and 645.

647 Edmund Budd. vs. Off. in Error. The People of the State of New York.

Explanatory from which the Court is adjourned un-

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Leo Stern et al. Appeal from the Circuit Court
105. v. Appellants. of the United States for the
Josiah Bond. Northern District of New York.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore,

in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Virginia Ferry Co.
27 vs. Appellant.
The Ohio and Mississippi Railway Company et al.

On motion of Mr. Lawrence Maxwell Jr. of counsel for the appellees, and consent of Mr. Henry Hitchcock, of counsel for the appellant. It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the 5th inst and after No. 1061.

The People of the State of New York ex rel: Edward Murray
644 vs. Pff. in Error.
Andrew Walsh, Police Justice etc.

The argument of this cause was continued by Mr. Spencer Clinton, of counsel for the plaintiff in error in No. 719, and Mr. J. A. Hyland, of

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The People of the State of New York ex rel: Francis E. Quinlo.
645 vs. Pff. in Error.
Andrew Walsh, Police Justice etc.

and

	L. Dalman Budd.	counsel for the de-
719.	vs. Pff. in Error.	fendants in error
	The People of the State of	in Nos. 644 & 645
	New York.	and concluded
		by Mr. W. H. Dark-

man, of counsel for the plaintiffs in error in Nos. 644 and 645.

	The United States.	The argument of this
987.	vs. Appellant.	cause was commen
	The Des Moines Navigation	ced by Mr. Attorney
	& Railway Co. et al.	General Miller, of
		counsel for the ap-

pellant.

Proclamation being made the Court is adjourned until To-morrow at Twelve o' clock

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

W. A. Williams. : In Error to the Cir-
107. vs. Eff. in Error : cuit Court of the Uni-
John Glenn, Trustee of the : ted States for the
National Express & Trans- : Western District of
portation Company. : North Carolina.

This cause having been called for hearing in its regular order and it appearing to the Court

that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

108. John L. Woodhead. vs. John Glenn, Trustee of the National Express & Transportation Company. In Error to the Circuit Court of the United States for the Western District of North Carolina.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The United States.
957 vs. Appellant.
The Des Moines Navigation
& Railway Company et al.

The argument of this cause was continued by Mr. Attorney General Miller, of counsel for the appellant and Mr. D. H. Calef and Mr. C. C. Smith of counsel for the appellees, and concluded by Mr. John F. Dillon, of counsel for the appellant.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Friday, November 20th 1891.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. M. Patterson it is ordered that Byron E. Shear, Esquire, of Aspen, State of Colorado, be admitted to practice as an attorney and counsellor of this Court: and he was sworn accordingly.

Mary E. Winston, Executrix &c.		In Error to the Cir-
109.	vs.	Def. in Error. cuit Court of the
John Glenn, Trustee of the		United States for
National Express and Trans-		the Western Dis-
portation Company.		trict of North Carolina.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

L. P. Alexander.		In Error to the Cir-
110.	vs.	Def. in Error. cuit Court of the
John Glenn, Trustee of the		United States for
National Express Vs Trans-		the Western District
portation Company.		of North Carolina.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print

the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

H. G. Springs. In Error to the Circuit Court of the
vs. Jeff. in Error. United States for the
John Glenn, Trustee of the Western District of
National Express & Transportation Company. North Carolina:

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

2. The Iron Silver Mining Co. vs. Plff. in Error. The Mike & Starr Gold and Silver Mining Co.

3. The Iron Silver Mining Co. vs. Plff. in Error. The Mike & Starr Gold and Silver Mining Co.

7. John L. Sullivan et al. vs. Plffs. in Error. The Iron Silver Mining Co.

The argument of these cases was commenced by Mr. L. S. Dixon, of counsel for the plaintiff in error in Nos. 2 and 3 and defendant in error in No. 7. and continued by Mr. D. M. Patterson, of counsel for the defendant in error in Nos. 2 and 3, and plaintiffs in error in No. 7.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday. November 23.d 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this way by Mr. Ashley Pond it is ordered that Charles M. Swift and Israel P. Cowles, Esquires, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in the

behalf by Mr. Solicitor General Taft it is ordered that Wm. M. Payson, Esquire, of Portland, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Marble it is ordered that Edmund D. Barry, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Hyde it is ordered that Wm. Walde Hyde, Esquire, of Hartford, State of Connecticut be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Stockslager, it is ordered that Geo. B. Heard, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and

he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. J. May it is ordered that Tully R. Cornick, Junior, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas Craig, Administrator of the estate of John Carbry, deceased. vs. The Continental Insurance Company of New York.

88. In Error to the Circuit Court of the United States for the Eastern District of Michigan. Pff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Blatchford

Andrew W. Smyth. Appeal from the
75. vs. Appellant. Circuit Court of
The New Orleans Canal & the United States
Banking Company. The Mutual for the Eastern Dis-
Cemetery Association et al. trict of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

(Mr. Justice Blatchford took no part in the decision of this case).

In parte: In the matter Appeal from the Circuit Court
of Edward W. Hallinger. of the United States for the
112 Orig. Appellant. District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and

on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Eugene Beebe et al
729 O.G. 1890 vs. Pffs. in Error.
The United States.

On consideration of the motion to rescind the judgment of dismissal entered herein on April 27th, 1891, to recall and cancel the mandate issued herein and for leave to file the transcript of the record and docket the case, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

The United States.
76. vs. Appellant.
The Union Coal Company.

Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the tr-

cript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged and decreed by the Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

The Chief Justice announced that the Court would adjourn at the conclusion of business on Wednesday until Monday next.

Allen Wagoner et al. vs. Appellants. The New York Belting and Packing Co.

On motion of Mr. B. F. Lee, of counsel for the appellee it was so hereby granted the Clerk to issue the mandate in this cause.

396. John Hoyt & William G. Hoyt. vs. Appellants John K. Horne.

Mr. B. F. Lee, of counsel for the appellants, suggested the death of John Hoyt, one of the appellants in

this cause, and the appointment of William J. Stoyt as the Administrator of the estate and moved the Court that the cause proceed in the name of William J. Stoyt, individually and as Administrator of the estate of John Stoyt deceased. Whereupon it is now here ordered by the Court that this cause proceed in the name of William J. Stoyt individually, and as Administrator of the estate of John Stoyt deceased, as the party appellant in this cause.

The Chicago Wire & Spring Company. vs. The American Wire Company

408. Pff. in Error.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called to the attention of the Court by Mr. C. W. Needham, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller

B.P. Perry et al. Executors etc. et al.
377. vs. Pffs. in Error.
The County of King et al.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. S.H. Woolworth and Mr. John Paul Jones in support of the same, and Mr. J.C. Haines in opposition thereto.

Motions to amend the writs of error were also submitted by Mr. J.C. Haines, in support of the same.

B.P. Perry et al. Executors etc. et al.
378. vs. Pffs. in Error.
The County of King et al.

The Fall River, Warren and Providence R.R. Co.
43. vs. Pff. in Error.
Page. Richardson and Co.

Mr. Frank W. Hackett, on behalf of counsel, submitted to the consideration of the Court a stipulation to reverse the judgment of the Circuit Court herein.

No. James G. Sutton et al. vs. James B. Jones et al. Appellants. The motion to postpone the argument of the cause until No. 87 is reached in the regular call of the docket was submitted to the consideration of the Court by Mr. W. H. H. Piatt Phillips, in behalf of Mr. L. L. Gregory and Mr. James S. Harlan in support of the same, and Mr. U. S. Harwood in opposition thereto.

No. 1007. The Henderson Bridge Co. et al. vs. The City of Henderson. Pffs. in Error. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. G. Carlisle, in support of the same, and Mr. William Lindsay, in opposition thereto.

No. 1234. The County of Franklin, Missouri. vs. The German Savings Bank of Davenport, Iowa. Pff. in Error. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and

and printed arguments by Mr. D. H. Brewing, of counsel for the plaintiff in error, and Mr. B. B. Boone and Mr. J. R. Winder, of counsel for the defendant in error.

Richard L. Ryles. vs. Pff. in Error. Case County.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. John G. Allen and Mr. Harry Stubbard, in support of the same, and Mr. William H. Francis, in opposition thereto.

William A. Williams. vs. Pff. in Error. John Klein, Trustee of the National Express & Transportation Company.

In Error to the Circuit Court of the United States for the Western District of North Carolina.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered that ad-

judged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs. per Mr. Chief Justice Fuller.

The Iron Silver Mining Co.
2. vs. Pff. in Error.
The Mike & Starr Gold and Silver Mining Co.

The Iron Silver Mining Co.
3. vs. Pff. in Error.
The Mike & Starr Gold and Silver Mining Co.

John L. Sullivan et al.
7. vs. Pffs. in Error.
The Iron Silver Mining Co.

The argument of these cases was concluded by Mr. Ashley Pond, of counsel for the plaintiff in error in Nos. 2 and 3, and defendant in error in No. 7.

The Louisville Water Co.
324. vs. Pff. in Error.
William Clark, Sheriff etc.

The argument of this cause was commenced by Mr. William Lindsay, of counsel for the plaintiff in error, and continued by Mr. Helm Bruce and Mr. J. P. Helm, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until To-morrow at twelve o'clock.

Tuesday, November 24th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr. George F. Edmunds it is ordered that Emory S. Huston, Esquire, of Burlington, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. W. Hallett Phillips it is ordered that W. P. Preble, Jr. Esquire, of New York City, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

1067. Edward E. Laurence, Admr. etc. vs. William H. Nelson et al. Appellant. The cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. H. A. Gardner and Mr. William Mc. Godon, of counsel for the appellant, and Mr. Henry S. Robbins, of counsel for the appellees.

32. Edwin S. Fowler et al. Appts. vs. The Equitable Trust Co.
33. The Equitable Trust Co. Appt. vs. Edwin S. Fowler et al.
34. Rose H. Fowler, Appellant, vs. The Equitable Trust Co.
35. The Equitable Trust Co. Appt. vs. Rose H. Fowler et al.
36. Sophie Fowler et al. Appts. The Equitable Trust Co.

On motion of Mr. William M. Springer, in behalf of counsel, leave is hereby granted the Clerk to issue the mandates in these cases.

Evelina Scott, Executrix etc.
117 vs. Appellant.
George H. Ellery.

Mr. B. L. Huston, of counsel for the appellee, suggested the death of George H. Ellery, the appellee herein, and moved the Court to make Cornelia Ellery, Administratrix of the said George H. Ellery, the party appellee in this cause. Whereupon, It is now here ordered by the Court that the said Cornelia Ellery, Administratrix of George H. Ellery, deceased, be, and she is hereby, made the party appellee herein.

The Louisville Water Co.
1024 vs. Pff. in Error.
William Clark, Sheriff etc.

The argument of this cause was continued by Mr. J. C. Helm, of counsel for the defendant in error, and concluded by Mr. T. L. Burnett, of counsel for the plaintiff in error.

Charles L. Pickens, and Charles
Cooper & Edward M. Cooper, partners
under the style of Cooper & Company.
77 vs. Pff. in Error.
The Taxing District of Shelby County
Tennessee & Andrew J. Harris.

In Error to the Supreme Court of the State of Tennessee.

This cause having been called for hearing in its regular order, and it appearing to the Court that the counsel for the plaintiff in error declines to comply with the order of the Court for an oral argument of this cause, it is therefore ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed with costs for want of prosecution in the manner directed by the Court.

per Mr. Chief Justice Fuller.

The Desert Salt Co. vs. Plff. in Error.
96. D. P. Carpey.

This cause was argued by Mr. W. H. H. Miller, of counsel for the defendant in error, and submitted on a printed argument by Mr. C. L. Williams, of counsel for the plaintiff in error.

The Board of County Commissioners of the County of Chaffee.
103. vs. Plff. in Error.
Andrew Potter.

This cause was submitted to the consideration of the Court on the record and a printed argu-

mitted by Mr. Thomas Mason, of counsel for the plaintiff in error, and leave granted counsel for the defendant in error to file a printed argument hereafter.

The New Orleans and North Eastern Railroad Co.
104 vs. Pff. in Error.
Joseph H. L. Jones.

This cause was argued by Mr. Edward Colston, of counsel for the plaintiff in error, and Mr. Calderon Carlisle, of counsel for the defendant in error.

Nicholas Finn.
106. vs. Pff in Error.
J. Saw Brown, Receiver etc.

The argument of this cause was commenced by Mr. F. W. Patterson, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Wednesday, November, 25th, 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George E. Edmunds it is ordered that Seth Newman, Esquire, of Fargo, State of North Dakota, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Evelina Scott, Executrix &c. vs. Appellant.
117. Cornelia Ellery, Adm'x &c.

This cause was submitted to the consideration of the

Court on the record and printed arguments by Mr. H. Scott Howell and Mr. William C. Howell, of counsel for the appellant, and Mr. Emory S. Huston, of counsel for the appellee.

Nicholas Penn.
106. vs. Pff. in Errr.
J. Sam Brown, Receiver etc.

The argument of this cause was continued by Mr. F. M. Patterson, of counsel for the plaintiff in error, and Mr. J. B. Henderson, of counsel for the defendant in error, and concluded by Mr. Patterson, for the plaintiff in error.

J. H. Van Stone
113. vs. Pff. in Error.
The Hilliard & Pierce Manufacturing Co.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. S. M. Stockslager, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

David L. Hammond et ab. vs. Supp. in Error.
Walter S. Johnston, Receiver
etc., et ab.

(14)

The argument of this cause was commenced by Mr. D. G. Lewis, of counsel for the plaintiffs in error, and continued by Mr. James M. Lewis and Mr. John B. Henderson, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday. November 30th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Taft it is ordered that S. Augustus Stanwood, Esquire, of New York City, and W. H. Pritchard, Esquire, of Tacoma, State of Washington, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. C. Clarke it is ordered that Louis Fitz Mackie, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. L. Bullock it is ordered that J. Warden Clark, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Pawtuxet, Warren and Providence Railroad Company.		In Error to the Circuit Court of the United
U.S.	vs.	States for the District
Pitt. in Error.		of Rhode Island.
Cope, Richardson & Company.		

This cause having been called to the attention of the Court by Mr. Frank W. Hackett, in behalf of counsel, and a stipulation to reverse the judgment of the Circuit Court herein having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and

adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to take such action therein as may be consistent with law.

per Mr. Chief Justice Fuller.

161. James E. Hilton et al. vs. James B. Jones et al. Appellants. On consideration of the motion to postpone the argument of this cause until cause No. 371 on the docket for the present term, is reached in regular call of the docket, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the consideration of the said motion be, and the same is hereby, postponed until the motion to dismiss, filed in this cause, is submitted: and upon the latter motion so much of the record as is necessary in order to properly pass upon the motion must be printed.

per Mr. Chief Justice Fuller.

The United States
vs. } Writ in Error.
George Sauges et al.

Mr. Solicitor General Hoyt, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to dismiss this cause.

No. Ex parte: In the matter of George W. Dupre, Petitioner.
No. Ex parte: In the matter of George W. Dupre, Petitioner.

On motion of Mr. James C. Carter, of counsel for the petitioner, leave is hereby granted him to file a supplemental brief herein, and on motion of Mr. Attorney General Miller, of counsel for the respondent, leave is hereby granted him to file a reply thereto.

1185. Ewin Davis, Appellant, vs. Angelica Cockrell and
1186. Ewin Davis, Appellant vs. Pierre B. Cornwall.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on the record in No. 1185, and printed arguments by Mr. Anson Mills, in support of the same, and Mr. Henry A. Root, Mr.

D. D. Kennison and Mr. Joseph H. Choate, in opposition thereto.

The Michigan Dairy Co. et al. vs. James W. Converse. Appellants. Appellee.

1398. Mr. Duane B. Dot, of counsel for the appellee, submitted to the consideration of the Court a motion that leave be granted the Clerk to issue the mandate in this cause or a certified copy of the Clerk's certificate and the entry made thereon by the Clerk of this Court.

David L. Hammond et al. vs. Walter S. Johnston, Receiver etc. et al. Plffs. in Error. Defts.

174. The argument of this cause was continued by Mr. John B. Henderson, of counsel for the defendants in error, and concluded by Mr. George F. Edmunds, of counsel for the plaintiffs in error.

1049. J. W. Boyd et al. Appellants vs. The United States et al.

1050. Chas. Herrnbrach et al Appellants vs. The United States

1052. Marshall Field & Co. Appellant vs. J. W. Clark, Collector etc.

On motion of Mr. Stephen G. Clarke, of counsel for Sternbach et al., It is ordered by the Court that each side be allowed one and one-half hours additional time for the argument of these cases.

1049. G. W. Boyd et al Appellants vs. The United States et al.
1050. Chas. Sternbach et al. Appellants vs. The United States.
1052. Marshall Field & Co. Appellant vs. J. W. Clark Collector etc.

The argument of these cases was commenced by Mr. W. Wickham Smith, of counsel for Boyd et al, and continued by Mr. Edwin B. Smith of counsel for Sternbach et al, and Mr. W. W. Bliss, of counsel for Marshall Field and Co

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, December 1st, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Patent Clothing Co. (Limited).
52. vs. Appellant.
H. B. Glover and Co.

On motion of Mr. William A. McKenney, in behalf of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in the cause.

No. 1. W. W. Boyd et al. Appellants vs. The United States et al.
No. 2. Thos. Stenbach et al. Appts. vs. The United States
No. 22. Marshall Field & Co. Appellants vs. J. W. Dent. Collector etc.

The argument of these cases was continued by Mr. John S. Wilson, of counsel for Marshall Field & Co. Mr. Solicitor General Coll and Mr. Attorney General Miller of counsel for the appellees & Mr. Stephen V. Clarke, of counsel for Stenbach et al.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, December 2d. 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Fuller it is ordered that Walter B. Anthony, Esquire, of Newburgh State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this

behalf by Mr. Solicitor General Taft it is ordered that John Proctor Clarke, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Matthew D. Gisborne.
5. vs. Appellant.
The Charter Oak Life Insurance Co. of Hartford Conn.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Arthur Brown and Mr. Lyttleton Price, of counsel for the appellant, and Mr. W. C. Hyde, of counsel for the appellee.

Charles G. Clever.
6. vs. Off. in Error.
J. W. Stonor et al.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. C. B. Clarke, of counsel for the plaintiff in error.

No counsel appeared for the defendants in error.

1049 C. W. Boyd et al Appellants vs The United States et al.
1050. Chas Strutrack et als Appls. vs The United States.
1052 Marshall Field & Co. Appellant. vs. J. W. Crist. Collector &c.

The argument of these cases was concluded by Mr. Stephen T. Clarke of counsel for Strutrack et al.

The United States. vs. Appellants. Gallin, Joseph & Co.

The argument of this cause was commenced by Mr. Solicitor General Clark, of counsel for the appellants, continued by Mr. Edwin C. Smith, of counsel for the appellee, and concluded by Mr. Attorney General Miller of counsel for the appellant

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday. December 3d. 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar
David J. Brewer.
Henry B. Brown.
} Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. E. Olmsted it is ordered that James A. Strahahan, Esquire, of Harrisburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. John G. Carlisle it is ordered that James W. Bryan, Esquire, of Covington, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Samuel Fielden,	On motion of Mr.
972	vs. Plff. in Error.	O. D. Barrett, in
	The People of the State of	behalf of counsel
	Illinois.	for the plaintiff
	and	in error and ap-
	Michael Schwab.	pellant, and con-
977	vs. Appellant.	sent of counsel
	N. W. Berggren, Warden &c.	for the defendant
		in error and ap-

pellee, It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on the 21st inst. and, at the head of the call.

	The Virginia Ferry Co.	This cause was ar-
27	vs. Appellant.	gued by Mr. Henry
	The Ohio and Mississippi	St. Schoock, of counsel
	Railway Co., et. al.	for the appellant,

and Mr. Laurence Maxwell jr. of counsel for the appellees.

118. James N. Fish. vs. Pff. in Error. D. U. S. Navarro et al.

On account of this cause was commenced by Mr. J. A. Mitchell, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday. December 4th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Alexander Moses. Plff. in Error
vs. vs.
The State of Mississippi. Def. in Error

In Error to the Supreme Court of the State of Mississippi.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the cause has been filed. Therefore, in pursuance of said stipulation. It is now here ordered and adjudged by this Court that the writ

of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Fidelity and Casualty Co. of New York.
'087. vs. Plff. in Error.
Milba Morris, by her next friend Henrietta Morris.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record & printed arguments by Mr. C. S. Thomas, of counsel for the plaintiff in error, and Mr. S. S. Rose, of counsel for the defendant in error.

James H. Fisk.
118. vs. Plff. in Error.
D. V. B. Henaric et al.

The argument of this cause was continued by Mr. J. H. Mitchell, of counsel for the plaintiff in error, and Mr. J. M. Wolfe, of counsel for the defendants in error, and concluded by Mr. Mitchell, for the plaintiff in error.

The New Orleans City and Lake Railroad Co.
vs. Pff. in Errr.
The City of New Orleans.

The argument of this cause was commenced by Mr. Charles F. Buck. of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, December 7th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. R. McFarlane, it is ordered that Robert C. Lyon, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Fletcher it is ordered that

Thomas H. Knapp, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The New Orleans & Northeastern Railroad Company.		In Error to the Circuit Court of the United States for the Southern District of Mississippi.
104.	vs.	
	Plff. in Error.....	
Joseph H. S. Jopes.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Brewer.

Richard Mc. Lish
vs. Off. in Error
J. G. Hoff and W. B. Warren.

In Error to the United States Court for the Indian Territory.

No. 58.

This cause came on to be heard on the transcript of the record from the United States Court for the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Lamar.

The Chicago, St. Paul, Minneapolis & Omaha Railway Company.
vs. Off. in Error
John Roberts.

In Error to the Circuit Court of the United States for the District of Minnesota.

No. 117.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and on motion to dismiss or affirm

which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Lamar.

The Henderson Bridge Company & The Louisville & Nashville Railroad Company. vs. The City of Henderson. 1007. Pff. in Error. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Blatchford.

Dissenting:

Mr. Justice Harlan.

J. Irving Pearce as Receiver of J. H. Hooker and Company.		Appeal from the Circuit Court of the United States for the Northern District of Illinois.
51	vs. Appellant.	
James H. Rice.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Henry Thomas Coggeshaw.		Appeal from the Circuit Court of the United States for the District of South Carolina.
47.	vs. Appellant.	
The South Carolina Railroad Company et al.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered,

adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Simeon G. Hall, William Hall & George W. Stitt		In Error to the Circuit Court of the United States for the Northern District of Illinois.
90.	vs. Pepp. in Error.	
John H. Dodell & William G. Dunnica		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Harlan.

Monday. December 7th 1891. Continued.

The Empire Manufacturing Company. Appellant. vs. William A. Wright Comptroller General of the State of Georgia et al.

Appeal from the Circuit Court of the United States for the Northern District of Georgia.

13.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Field.

85. Erwin Davis. Appellant vs Augustus Wakely.

86. Erwin Davis Appellant vs. Lucius A Comwell.

On consideration of the motions to dismiss or affirm in these cases, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motions be and the same are hereby, denied.

per Mr. Chief Justice Fuller.

The United States. On consideration of the
1164 vs. Sup in Error. motion to advance this
George Sauges et al. cause, It is now here
ordered by the Court
that said motion be and the same is hereby
granted and the cause assigned for argument
on the second Monday of January next, after
cases No. 1236 and 1515 heretofore assigned for
that day.

per Mr. Chief Justice Fuller.

Samuel Gridley. It is ordered by
909 vs. Pff. in Error. the Court that
The People of the State of Illinois. these cases be,
&
Michael Schwab. and they are
977 vs. Appellant. hereby, re-as-
A W. Bergen, Warden etc. signed for ar-
gument on the
second Monday
of January next, after the cases heretofore assign-
ed for that day.

per Mr. Chief Justice Fuller.

The Fidelity & Casualty Company of New York.
187. vs. Pff. in Error.
Lilla Morris, by her next friend, Henrietta Morris.

It is ordered by the Court that a writ of certiorari issue in this cause for the purpose of bringing up the proceedings for the removal of the cause from the State Court

per Mr. Chief Justice Fuller

B. P. Ferry, Ebenezer Smith and David Kellogg, Executors of George D. Hill, deceased, et al.
577. vs. Pffs. in Error.
The County of King et al.

In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

B. P. Perry, Drew Smith and David Kellogg, Executors of George K. Wells, deceased et al. vs. The County of King et al.

In Error to the Supreme Court of the State of Washington.

978

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and on motion to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Henry W. Myers. vs. The Brown Shovel Company.

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

70

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here or-

dered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Mr. Justice Bradley and Mr. Justice Gray did not hear the argument and took no part in the decision).

John Sparhawk, Charles E. Ware & J. Davis Ruffin, Executors in bankruptcy of Charles P. Yerkes, Jr., a bankrupt.
vs. Appellants.
Charles P. Yerkes, Junior, a bankrupt, et al.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

56.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, af-

firmed with costs.

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Brewer &

Mr. Justice Harlan.

(Mr. Justice Bradley and Mr. Justice Gray did not hear the argument and took no part in the decision of this case).

John Sparhawk, George J. Brooks & J. Davis Duffield, Assignees in Bankruptcy of Charles C. Yerkes Jr., a Bankrupt.	Appeal from the Circuit Court of the United States for the
67 vs. Appellants.	Eastern District of Pennsylvania.
Struve Ackley Bushrod & Co. Adams F. C. Arnold et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, af-

firmed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Brewer &

Mr. Justice Harlan.

(Mr. Justice Bradley and Mr. Justice Gray did not hear the argument and took no part in the decision of this case).

The Chief Justice announced that the Court will adjourn on Monday, December 21st, until Monday, January 4th. Opinions will be delivered and motions heard on Monday the 21st of December, and any case which may be under argument will be finished, but no case will be taken up for argument on that day.

The Inter-State Commerce Commission.

1891. v. Appellant.

The Baltimore & Ohio R.R. Co.

Mr. Attorney General Miller, of counsel for the appellant, submitted to the consideration of the Court a motion to fix a day for the argument of this cause

1191. Peter J. Claassen Plff. in Error vs. The United States.
1296. James A. Simmons " " " " " " "

On motion of Mr. Attorney General Miller, of counsel for the defendant in error, It is ordered by the Court that these cases be placed on the call for to-day after No. 1026.

The United States		In Error to the Cir-
142.	vs. Plff. in Error.	cuit Court of the
Horace W. Rugg, impleaded		United States for
with Robert C. Morgan, Albert		the Southern Dis-
A. Cass & Charles B. Whitehead.		trict of New York.

This cause having been called to the attention of the Court by Mr. Solicitor General Coft. of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller

Lau Ow Bew
vs. Appellant
The United States.

On motion of Mr. Solicitor General Mr. J. counsel for the appellee
It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on the second Monday of January, next after the cases heretofore assigned for that day.

The New Orleans Pacific Railway Company et al.
vs. Appellants.
John D. Parker et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland and Mr. A. H. Leonard, in support of the same, and Mr. John F. Dillon, Mr. Wager Swayne & Mr. W. W. Howe, in opposition thereto.

The Union Pacific Railway Company.
vs. Pfg. in Error.
Ralph A. Pidcock.

In Error to the Supreme Court of the Territory of Utah.

This cause having been called to the attent-

ion of the Court by Mr. John G. Wilson of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Iowa City & Iowa Falls Railroad and Land Co.
157 vs. Pff. in Error.
Thomas C. Griffey et al.

Mr. L. L. Burdett, of counsel for the defendants in error, suggested the death of William W. Curtis, one of the defendants in error herein, & moved the Court to make Jane L. Curtis widow and Charles William Curtis, heir, of said William W. Curtis parties in this cause. Whereupon, It is now here ordered by the Court that the said Jane L. Curtis widow, and Charles William Curtis heir of said William W. Curtis deceased, be and they are hereby, made parties defendants in error in this cause.

The State of Maryland.
vs. Complainant.
The State of West Virginia.

Mr. William Pinkney White, of counsel for the complainant,

submitted to the consideration of the Court a motion for leave to file a bill of complaint herein and that the proper process issue.

Florence W. Wanton.
1450 vs. Appellant.
Frank E. De Wolf et al.

The motion to vacate the order entered herein on November 3d, 1891, docketing and dismissing the appeal, and for leave to file the transcript of the record and docket the cause, was submitted to the consideration of the Court by Mr. W. Hallett Phillips, in support of the same and Mr. A. B. Browne, in opposition thereto.

Thomas H. Bacon et al.
67 vs. Appellants.
O. H. Chandler, Receiver etc.

Mr. Frank W. Hackett, of counsel, suggested the death of Thomas H. Bacon, one of the appellants herein, and moved the Court to make Isaac Jackson, Administrator of the said Thomas H. Bacon, a party appel-

said. Whereupon, It is now here ordered by the Court that the said Isaac Jackson, Administrator of Thomas H. Bacon deceased be, and he is hereby made a party appellant in this cause.

Isaac Jackson, Administrator of Thomas H. Bacon, deceased, and E. Ernest Cadie.

167. vs. Appellants.

Alfred D. Chandler, Receiver of the National Color Printing Co.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause having been called to the attention of the Court by Mr. Grant W. Hackett, of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Isaac Jackson, Admr. etc et al.

167. vs. Appellants.

Alfred D. Chandler, Receiver etc.

On motion of Mr. Grant W. Hackett, of coun-

sel for the appellants leave is hereby granted the Clerk to issue the mandate in this cause.

The Fall River, Warren & Providence R.R. Co.		On motion of Mr. Frank W. Hackett in behalf of counsel leave is hereby granted the Clerk to issue the mandate in this cause.
48.	to. Pff. in Error.	
Page, Richardson & Co.		

Eliab W. Metcalf.		On motion of Mr. C. E. Mowry, of counsel for the plaintiff in error, leave is hereby granted
42.	to. Pff. in Error.	
The City of Watertown.		

to withdraw the writ of error herein for the purpose of having the seal of the Circuit Court placed thereon.

R. A. Lindsay, Assessor et al.		The motion to dismiss in this cause was submitted to the consideration of the
1118.	to. Appt. & Pffs. in Erro.	
The First National Bank of Shreveport et al.		

Court on printed arguments by Mr. D. Hudson and in support of the same, and Mr. W. W. Howe in op-

Charles Mc Browne. Appellant.
1115. vs. Appeal from the Circuit
Augustus A. Brush, Agent Court of the United States
and Warden, etc. for the Southern District of New York.

This cause having been called for hearing in its regular order, and a stipulation to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Sarah A. Sloan et al. The motion to dis-
1015. vs. Pepp. in Error. miss in this cause
James M. Strickler, Admr. etc. was submitted to
the consideration

of the Court on the record and printed arguments by Mr. W. O. Markham, in support of the same, and Mr. L. L. Dixon and Mr. W. P. Hughes in opposition thereto.

John S. Martin.
vs. In Appellant.
Lucie L. Gray.

This cause was submitted to the consideration of the Court pursuant to the 20th rule on the record and printed arguments by Mr. L. W. Dembitz, of counsel for the appellant, and Mr. C. C. Buckner of counsel for the appellee.

Frederic Dumont, August Henry Leine and Jean David Wockel.
244 vs. Appellants.
Charles W. Gry, Trustee in bankruptcy of Schuchard & Sons et al.
&
Edward H. Reynes, Sole surviving assignee of Charles Cavaroc & Son.
245 vs. Appellant
Charles W. Gry, Trustee in bankruptcy of Schuchard & Sons et al.

Appeals from the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a Stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court

that these appeals be, and the same are hereby, dismissed without costs to either party.

per Mr. Chief Justice Fuller.

119. The New Orleans City & Lake Railroad Company. vs. The City of New Orleans. Pltf. in Error.

The argument of this cause was continued by Mr. Charles F. Buck, of counsel for the plaintiff in error and Mr. W. B. Sommerville, of counsel for the defendant in error, and concluded by Mr. Buck for the plaintiff in error.

1128. Hooba Prega. vs. Appellant. P. A. Brush, Agent &c. & Charles Mc. Elvaine

1125. vs. Appellant. P. A. Brush, Agent &c

These cases were argued by Mr. George H. Curtis, of counsel for Mc. Elvaine. The Court declined to hear argument for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, December, 8th. 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that Henry O. Estabrook, Esquire, of Omaha, State of Nebraska, and Isaac A. Rigby, Esquire, of Concordia, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. J. E. Stevens it is ordered that W. B. Matson, Esquire, of Charleston, State of West Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Allen it is ordered that J. W. Culver, Esquire, of Clarksdale, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

James B. Boyd.
1208. vs. Eff. in Error.
The State of Nebraska ex rel:
John M. Thayer.

The argument of this cause was commenced by Mr. J. A. Powis, of counsel for the plaintiff in error, continued by Mr. Henry D. Estabrook, of counsel for the plaintiff in error, and Mr. J. L. Webster, and Mr. John F. Dillon, of counsel for the defendant in error, and concluded by Mr. O. H. Garland, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Wednesday, December 9th, 1891.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this case by Mr. Solicitor General Coffey it is ordered that Merrill Moores, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States
Original — vs. — Complainant
The State of Texas

The demurrers in this case were argued by Mr. A. H.

Garland in support of the same, and Mr. Edgar Allen, in opposition thereto.

Charles Counselman. The argument
1026 vs. Appellant. of this cause
Frank Hitchcock, U.S. Marshal etc. was commenced by Mr.
John W. Jewett, of counsel for the appellant, and continued by Mr. E. W. Lamberson, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, December, 10th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan. Associate
Horace Gray Justices
Samuel Blatchford.
David J. Brewer.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. Solicitor General Taft it is ordered that Charles P. Taft, Esquire, of Cincinnati, State of Ohio, and John R. Read, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in the behalf by Mr. J. Amber Smith it is ordered

that T. B. Webb, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Quett it is ordered that James Drake, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Charles Counselman.
1026. vs. Appellant.
Frank Hitchcock, U.S. Marshal etc.

The argument of this cause was continued by Mr. G. M. Lambertson, and Mr. Assistant Attorney General Parker, of counsel for the appellee, and concluded by Mr. James C. Carter, of counsel for the appellant.

Ritter & Hassam.
1191. vs. Pff. in Error.
The United States.

The argument of this cause was commenced by Mr. Hector M. Fitchugo, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourn-

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. W. Cochran it is ordered that Sydney B. Davis, Esquire, of Terre Haute Ind. of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Morgan, it is ordered that James L. Tanner, Esquire, of Berkeley, Cal.

of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. H. Koch it is ordered that P. W. Schalck, Esquire, of Pottsville, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

James M. Rice.
1415 vs. Appellant.
John V. Rice & Josiah Morris.

Mr. George H. Bates, of counsel for the appellant submitted to the consideration of the Court a suggestion of the death of Josiah Morris, one of the appellees herein, and a motion for an order of publication pursuant to Rule 15.

Silas J. Axtell.
1191 vs. Pltf. in Error.
The United States.

The argument of this cause was continued by Mr. Hector M. Ireland, of counsel for the plaintiff in error, and Mr. Solicitor General

Dept. of counsel for the defendant in error, and concluded by Mr. Hutchings for the plaintiff in error.

James A. Summers. vs. Pltf. in Error.
296. The United States.

The argument of this cause was commenced by Mr. John G. Carlisle of counsel for the plaintiff in error. The Court declined to hear further argument.

The Horn Silver Mining Co. vs. Pltf. in Error.
18. The People of the State of New York.

This cause was argued by Mr. Julien T. Davies of counsel for the plaintiff in error, and submitted on a printed argument by Mr. C. C. Cotton of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan. Associate
Horace Gray. Justices
Samuel Blatchford.
David J. Brewer.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

David D. T. Farnsworth and Philip Thomas. Appellants
69 v. Appeal from the District Court of the United States for the District of West Virginia.
Joseph Ruffner.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, ad-

judged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the bill as to these appellants.

per Mr. Justice Brewer.

Mr. Justice Gray was not present at the argument and took no part in the decision of this case).

Nicholas Grim. vs. Pff. in Error. / S. Sam Brown, Receiver of the First National Bank of Leadville. — In Error to the Circuit Court of the United States for the District of Colorado.

106

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per an

mum that similar judgments bear in the Courts of the State of Colorado.

per Mr. Justice Blatchford.

The State of Maine. In Error to the Cir-
29 vs. cuit Court of the
The Grand Trunk Railway Company of Canada. In Error to the Circuit Court of the United States for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment in favor of the State for the amount of taxes demanded

per Mr. Justice Field.

Dissenting: Mr. Justice Bradley.
Mr. Justice Harlan.
Mr. Justice Lamar.
Mr. Justice Brewer.

The New Orleans Pacific Railway Company et al. vs. John D. Parker et al. Appellants. 97.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby postponed to the hearing on the merits.

per Mr. Chief Justice Fuller.

The Inter-State Commerce Commission. vs. The Baltimore & Ohio Railroad Company. Appellant. 889.

On consideration of the motion to assign a day for the argument of this cause, It is now here ordered by the Court that said cause be, and the same is hereby, assigned for argument on the second Monday of January next after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Sarah A. Sloan et al. vs. James M. Strickler Administrator of Thomas M. Sloan, dec'd. Plff. in Error. 1018

In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

R. H. Lindsay, Assessor et al.
vs. Appl. & Plff. in Error.
1118. The First National Bank of Shreveport et al. ..... On consideration of the motion to dismiss in this cause, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The State of Maryland.
vs. Complainant.
The State of West Virginia. On consideration of the motion for leave to file a bill of complaint herein, It is now here ordered by the

Court that said motion be, and the same is hereby, granted, and that subpoenas to the defendant issue returnable on the first Monday of March next

per Mr. Chief Justice Fuller

The City of New Orleans et al.

632. vs. Plffs. in Error.

The New Orleans Water Works Company et al.

On Error to the Supreme Court of the State of Louisiana.

and

Edward Covery Jr. et al.

639. vs. Plffs. in Error.

The New Orleans Water Works Company et al.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writs of error in this cause be, & the same are hereby dismissed for the want of jurisdiction.

per Mr. Justice Brewer.

Announced by Mr. Chief Justice Fuller

The County of Franklin in the State of Illinois.		In Error to the Circuit Court of the United States for the Southern District of Illinois.
1294.	vs.	Plff. in Error.
The Germania Savings Bank of Davenport, Iowa.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Brewer.
Announced by the Chief Justice.

David L. Hammond, Charles L. Hammond, Mary A. Kingman, Emma W. Kingman et al.		In Error to the Supreme Court of the State of Missouri.
1114.	vs.	Plffs. in Error.
Walter S. Johnson, Receiver of the The National Bank of the State of Missouri & Thos A. Parker.		

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for want of jurisdiction.

per Mr. Chief Justice Waite.

Charles G. Clever. In Error to the Su-
116. vs. Pff. in Error. preme Court of the
J. W. Horner & Henry State of Colorado.
B. Rogers.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

1428 Joel B. Erhardt, Collector etc. vs. Julius Pohn et al. Plff. in Error. On motion of Mr. Solicitor General Pugh, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

335 The Oregon Railway & Navigation Company vs. The Oregonian Railway Company (Limited). Plff. in Error. Mr. J. H. Dolph, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to submit this case when the same is reached in regular call, on a printed argument without printing the transcript of the record.

1340 The Pewabic Mining Co. vs. Thomas H. Mason et al. Appellant. The motions to dismiss and to recall the supersedeas in these cases were submitted to the consideration

and

1416 Alfred A. Marcus vs. Thomas H. Mason et al. Appellant.

of the Court on printed arguments by Mr. Wm M. Dickinson and Mr. Alfred Russell in support of the same, and Mr. Thomas A. Doyle, Mr. C. M. Morse Jr. and Mr. J. Louis Hickerson in opposition thereto.

Frederick Benham Myers et al. vs. The Kingston Coal Company. Pltffs. in Error. 1159. On motions to dismiss or affirm in this cause were

submitted to the consideration of the Court on the record and printed arguments by Mr. H. W. Palmer and Mr. H. B. Payne in support of the same, and Mr. O. Dickelle in opposition thereto.

Benj. H. Paine et al. Executors &c. vs. Oltha Chadwick. Appellants. 888. On motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Henry B. Payne in support of the same, and Mr. W. G. Morris and Mr. J. E. Robinson in opposition thereto.

The Richmond & Danville Railroad Company		In Error to the Circuit Court of the United States for the Northern District of Georgia.
537.	vs. Pff. in Error.	
L. W. Ogletree		

This cause having been called to the attention of the Court by Mr. Linden Kent, of counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

James F. Hilton et al.		The motion to dismiss
161.	vs. Appellants.	in this cause was
James B. Jones et al.		submitted to the consideration of the

Court on printed arguments by Mr. H. S. Harwood and Mr. J. H. Ames, in support of the same and Mr. W. Hallett Phillips, Mr. S. S. Gregory and Mr. James S. Harlan, in opposition thereto.

The Illinois Central R.R. Co.

768. vs. Appellant.

The People of the State of Illinois et al

The City of Chicago.

774. vs. Appellant.

The Illinois Central R.R. Co. et al.

The People of the State of Illinois.

775. vs. Appellants.

The Illinois Central R.R. Co. et al.

&

The United States

776. vs. Appellant.

The People of the State of Illinois et al.

Mr. John S. Miller, of counsel for the City of Chicago, submitted to the consideration of the Court a motion to advance these cases.

U.G. Short.

41. vs. Pff. in Error.

Wilberforce Sully et al.

In Error to the Circuit Court of the United States for the Northern District of Texas

It appearing to the Court that authority of counsel for the plaintiff in error to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered & adjudged by this Court that the writ of error in this cause be & the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller

The Bowler Manufacturing Company and Abraham D. Selover. — Appeal from the Circuit Court of the United States for the Southern District of New York.

215 vs. Appellants.

Ariel Cameron.

It appearing to the Court that an authority of counsels for the appellants to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

William C. Coleman. — Appeal from the Circuit Court of the United States for the Northern District of California.

127 vs. Appellant.

James D. Walker.

This cause having been called for hearing in its regular order, and a stipulation to dismiss the cause having been filed. Therefore, in pursuance of said stipulation. It is now here ordered, adjudged and decreed by this Court that the appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller

The City of Brenham. — Pff. in Error.
20. vs.
The German American Bank.

This cause was argued by Mr. S. R. Fisher, of counsel for the plaintiff in error, and Mr. Henry Sayles and Mr. A. H. Garland, of counsel for the defendant in error.

John H. Mc. Mee. — Pff. in Error.
21. vs.
Peter J. Donahue.

This cause was argued by Mr. S. G. Leib, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Philip Y. Galpin, of counsel for the defendant in error.

Ex parte: In the matter of J. Stoat Fassett. — Petitioner.
10. Original.

The argument of this cause was commenced by Mr. Solicitor General Taft, of counsel for the petitioner.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Tuesday, December 15th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Joseph P. Bradley.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
David J. Brewer.
Henry B. Brown.
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. David Turpie it is ordered that Mortimer Nye, Esquire, of La Porte, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of J. Hoge Tyler, Petitioner. On Original.

The argument of this cause was continued by Mr. Solic-

Hon General Taft of counsel for the petitioner and Mr. Elihu Root of counsel for the respondent, and concluded by Mr. Solicitor General Taft, for the petitioner.

122. The Sunflower Oil Company. Appellant. vs. Benjamin Wilson Receiver &c. and

123. The Sunflower Oil Company. Appellant. vs. Benjamin Wilson, Receiver &c.

The case was argued by Mr. Arthur Cummins of counsel for the appellee and submitted on a printed argument by Mr. J. W. Culver, of counsel for the appellant.

24 John B. Thompson et al. Plffs. in Error. vs. The United States.

The argument of this cause was commenced by Mr. Phil B. Thompson, Jr. of counsel for the plaintiffs in error, and continued by Mr. Assistant Attorney General Maury, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, December, 16th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Clay it is ordered that Frederick M. Leonard, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Maria M. Bloomer. Appeal from the Supreme
131 vs. Appellant. Court of the Territory
John Todd et al. of Washington.

This cause having been called for hearing in its regular order, and a Stipulation to dismiss this cause having been filed. Therefore, in pursuance of said Stipulation. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs: And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Washington.

per Mr. Chief Justice Fuller

John B. Thompson et al.
124 vs. Pffs. in Error.
The United States.

The argument of this cause was continued by Mr. Assistant Attorney General Maury, of counsel for the defendant in error, and concluded by Mr. Asa B. Thompson Jr. of counsel for the plaintiffs in error.

E. C. Eames et al.
125. vs. Pffs. in Error.
Samuel Kaiser.

This cause was argued by Mr. A. H. Garland, of counsel for the defendant in error, and submitted on a printed argument by Mr. Lawrence Roberts on and Mr. W. L. Crawford, of counsel

for the plaintiffs in error.

B. A. Kennedy.
216. vs. Pffs. in Error.
Ellen Mc. Fee et al.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Laurie Robertson, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

John Boyd et al.
1048 vs. Pffs. in Error.
The United States.

This cause was argued by Mr. Asher J. Gray, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Maury, of counsel for the defendant in error.

Mc Cormick & Co.
1393 vs. Appellant.
The United States et al.

This cause was argued by Mr. Assistant Attorney General Parker, of counsel for the appellees and submitted on a printed argument by Mr. Lyman D. Brewster, of counsel for the appellant.

The Washburn & Moen Manufacturing Co. et al.
128. vs. Appellants.
The Cincinnati Barbed Wire Co. et al.

The Washburn & Moen Manufacturing Co. et al.
129. vs. Appellants.
W. W. Norwood.

And

The Washburn & Moen Manufacturing Co. et al.
130. vs. Appellants.
John D. Wiler et al.

On motion of Mr. John R. Bennett, of counsel for the appellants, counsel on each side are allowed one hour additional for the argument of these cases.

The argument of these cases was commenced by Mr. John R Bennett of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

for the plaintiffs in error.

C. A. Kennedy.
26. vs. Pff in Error.
Ellen Mc. Kee et al.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Laurus Robertson, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

John Boyd et al.
1048. vs. Pffs in Error.
The United States.

This cause was argued by Mr. Asher J. Ellery, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Maury, of counsel for the defendant in error.

Hietumura Shin.
893 vs. Appellant.
The United States et al.

This cause was argued by Mr. Assistant Attorney General Parker, of counsel for the appellees and submitted on a printed argument by Mr. Lyman D. Mowry, of counsel for the appellant.

The Washburn & Moen Manufacturing Co. et al.
128. vs. Appellants.
The Beat 'Em All Barbed Wire Co. et al.

The Washburn & Moen Manufacturing Co. et al
129. vs. Appellants
W. W. Norwood.

The Washburn & Moen Manufacturing Co. et al.
130. vs. Appellants.
John D. Miles et al.

On motion of Mr. John C. Bennett, of counsel for the appellants counsel on each side are allowed one hour additional for the argument of these cases.

The argument of these cases was commenced by Mr. John C. Bennett, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, December, 17th, 1891.

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray, Associate
Samuel Blatchford. Justices.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in the behalf by Mr. Eppa Hunton it is ordered that S. M. Johnson, Esquire of Oklahoma City Territory of Oklahoma be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Edward A. Hower. Appellant. On motion of Mr. Solicitor General Wait,
vs. of counsel for the ap-
The United States.

bellee. It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on the second Monday in January next after No. 10

Brooke Mackall &c. Appeal from the Supreme
138. vs. Appellant. Court of the District
Alfred Richards. of Columbia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs. per Mr. Chief Justice Fuller

The Washburn & Moen Manufacturing Co. et al.
128. vs. Appellants.
The Beat 'Em All Barbed Wire Co. et al.
and

The argument of these cases was continued by Mr. John K. Bennett, of counsel for the ap-

The Washburn & Moen Manufacturing Co. et al.
129. vs. Appellants.
W. W. Norwood.

&

The Washburn & Moen Manufacturing Co. et al.
130. vs. Appellants.
John O. Wiley et al.

Mr. A. S. Blair, of counsel for the appellants, and concluded by Mr. W. H. Singleton, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The St. Paul, Minneapolis & Manitoba Railway Co.
vs. Pltf. in Error.
The County of Todd, Minn.

This cause was argued by Mr. W. D. Grover, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Moses E. Clapp, of counsel for the defendant in error.

33

The South Branch Lumber Co. This cause was
135. vs. Appellant. argued by Mr.
George Ott et al. Frank J. Smith,
of counsel for
the appellant and Mr. John C. Bills of counsel
for the appellees.

Proclamation being made the Court is adjourned
until Monday next at twelve o'clock

Monday, December 21st, 189

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray, Associate
Samuel Blatchford, Justices
Lucius Q. C. Lamar.
David J. Brewer,
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made this Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Coxe it is ordered that Bellamy Storer, Esquire, of Cincinnati, State of Ohio, and Frank C. Partridge, Esquire of Proctor, State of Vermont, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. P. C. Fletcher it is ordered that Walter H. Bishop, Esquire of Ewells, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. W. Marble it is ordered that Milton H. Myrick, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. S. Earle it is ordered that John L. McLaurin, Esquire, of Bennettsville, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

" "

The Kaukauna Water Power Company et al. vs. The Green Bay and Mississippi Canal Company. Plffs. in Error. } In Error to the Circuit Court of Outagamie County, State of Wisconsin.

65

This cause came on to be heard on the transcript of the record from the Circuit Court of Outagamie County, State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs

per Mr. Justice Brown.

Dissenting:
Mr. Justice Harlan.

John S. Martin.		Appeal from the Circuit
065.	vs. Appellant.	Court of the United States for
Jesse S. Gray.		the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Brewer.

	D. H. Van Stone	In Error to the Circuit
113.	vs	Court of the United
	Pltf. in Error.	States for the Western
	The Hilwell & Berea	District of Missouri.
	Manufacturing Company.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Justice Lamar.

	Thomas Knight.	In Error to the
82.	vs	Supreme Court
	Deft. in Error.	of the State of
	The United Land Asso-	California.
	ciation & Clinton A. Cripp.	

This cause came on to be heard on the transcript of the record from the Supreme Court of

the State of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Supreme Court with instructions to take further proceedings in conformity with the opinion of the Court.

per Mr. Justice Lamar.

Peter J. Hanaman. In Error to the Circuit Court
1891. vs. Jeff. in Error. of the United States for the
The United States. Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Gray.

James A. Simmons.		In Error to the Circuit Court
1290.	vs.	Plff in Error. of the United States for the
The United States.		Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Gray.

The Desert Salt Com-		
pany.		In Error to the Su-
		preme Court of the
76.	vs.	Plff in Error. Territory of Utah.
D. P. Carpey.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in

the cause be and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

The Illinois Central R.R. Co. Appellant
768. vs.
The People of the State of Illinois et al

The City of Chicago. Appellant.
1744 vs.
The Illinois Central R.R. Co. et al.

The People of the State of Illinois. Appellants.
775. vs.
The Illinois Central R.R. Co. et al

and

The United States Appellant.
776. vs.
The People of the State of Illinois et al.

On consideration of the motion to advance these cases, it is now here ordered by the Court that said motion be, and the same is hereby granted, and the cases assigned for argument on the second Monday of the next Term.

per Mr. Justice Swayne.

(The Chief Justice and Mr. Justice Strong took no part in the decision of this motion).

James G. Hilton et al.
No. 11. vs. Appellants.
James E. Jones et al.

On consideration of the motion to postpone the hearing of this case until No. 371 on the docket for the present term shall be reached, and the motion to dismiss the appeal and of the argument of counsel thereupon had, as well in support of as against the same It is now here ordered by the Court that the said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

The Oregon Railway and Navigation Company.
335. vs. Pff. in Error
The Oregonian Railway Company, Limited.

On consideration of the motion for leave to submit this case, when the same is reached in the regular call of the docket on a printed argument without printing the record It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

The Michigan Insurance Bank.
388. vs. Plff. in Error.
Lucius Eldred.

The cause having been previously advanced, It is now here ordered by the Court that the same be assigned for argument on January 25th next, to be placed at the foot of the calls for that day.

per Mr. Chief Justice Fuller.

The Juvabic Mining Co.
340. vs. Appellant.
Thomas H. Mason et al.
vs
Alfred A. Marcus.
1116. vs. Appellant.
Thomas H. Mason et al.

On consideration of the motions to dismiss or to vacate the supersedeas in these cases, It is now here ordered by the Court that the motion to vacate the supersedeas be, & the same is hereby, denied: and that the further consideration of the motions to dismiss here in be, and the same is hereby, postponed to the hearing of the cases on their merits.

per Mr. Chief Justice Fuller.

	Benjamin A. Bates, John A. Curtin & William G. Crary, Executors of Walter C. Chadwick deceased & Norma D. Chadwick.		Appeal from the Supreme Court of the State of Iowa.
888.		vs. Appellants.	
	Della Chadwick.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

	Frederick Reuben Myers & William Penn Myers.		In Error to the Supreme Court
1159.		vs. Plffs. in Error.	of the State of
	The Kingston Coal Company.		Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on motions

to dismiss or affirm, which were argued by coun-
sel. On consideration whereof, It is now here
ordered and adjudged by this Court that the
writ of error in this cause be, and the same
is hereby dismissed for the want of juris-
diction.

Per Mr. Chief Justice Fuller.

Florence W. Wanton.
1150 vs. Appellant.
Frank S. De Wolf et al.

On consideration of
the motion to vacate
the order entered here-
in on November 3d,
1891, docketing and dismissing this appeal and
for leave to file the transcript of the record &
docket the cause, and of the argument of coun-
sel thereupon had, as well in support of, as a-
gainst the same. It is now here ordered by the
Court that said motion be, and the same is
hereby, denied.

Per Mr. Chief Justice Fuller.

Charles Mc. Elwaine.
1125 vs. Appellant.
Augustus A. Brush, as Agent
& Warden at Sing Sing Prison,
in the State of New York

Appeal from the Cir-
cuit Court of the
United States for
the Southern Dis-
trict of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

Charles Mc. Strauss.			Ordered by the Court
1125.	to.	Appellant.	that the Clerk issue
A. A. Brush, Agent etc.			the mandate in this
			cause at once.

Nicola Drezza.			Appeal from the Cir-
1126.	to.	Appellant.	cuit Court of the
A. A. Brush, Agent & Warden			United States for the
at Sing Sing Prison in the State			Southern District
of New York.			of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in the cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

Lucia Crews. Appellant. Ordered by the Court
33. vs. that the Clerk issue the
J. A. Brush, Agent etc mandate in this cause
forthwith.

The State of Nebraska
Original vs Complainant. On motion of Mr.
The State of Iowa. C. G. Greene, of coun-
sel for the com-

plainant, leave is hereby granted to file the testimony taken in this cause and exhibits and the cause is assigned for argument on the 25th day of January next after the cases heretofore assigned for that day.

A. Irving Pearce, Assignee etc. Mr. C. W. Mead
51. vs. Appellant. leave, in behalf
James H. Rice. of counsel for the appellee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Charles Mc. Strauss.
1125. vs. Appellant.
O. O. Brush, Agent &c.

Ordered by the Court that the Clerk issue the mandate in this cause at once.

Nicola Prezza.
1123. vs. Appellant.
O. O. Brush, Agent & Warden at Sing Sing Prison in the State of New York.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in the cause be, and the same is hereby affirmed with costs.

Per Curiam Chief Justice Fuller.

Nicolas Griggs. Ordered by the Court
33. vs. Appellant. that the Clerk issue the
J. A. Brush, Agent Etc mandate in this cause
forthwith.

The State of Nebraska.
Original vs. Complainant. On motion of Mr.
The State of Iowa. C. J. Greene, of Counsel for the Complainant, leave is hereby granted to file the testimony taken in this cause and abstract and the cause is assigned for argument on the 25th day of January next after the cases heretofore assigned for that day.

A. Irving Pearce, Assignee etc. Mr. A. W. Mc-
51. vs. Appellant. Lane, in behalf
James H. Rice. of counsel for the appellee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

Charles Mc Sloane.
1125. vs. Appellant.
O. A. Brush, Agent etc.

Ordered by the Court that the Clerk issue the mandate in this cause at once.

Nicola Drezza.
1123. vs. Appellant.
O. A. Brush, Agent & Warden at Sing Sing Prison in the State of New York

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Nicoba Greene. Appellant. vs. J. A. Brush, Agent &c. — Ordered by the Court that the first order in this cause stand.

1233

The State of Nebraska. Original. Complainant. vs. The State of Iowa. — On motion of Mr. G. G. Greene, of counsel for the complainant, leave is hereby granted to file the testimony taken in this cause and exhibits, and the cause is assigned for argument on the 25th day of January next after the case now before assigned for that day.

J. Irving Pearce, Assignee &c. Appellant. vs. James H. Rice. — Mr. C. W. Heed leave, in behalf of counsel for the appellee

51.

moved the Court to grant leave to the Clerk to issue the mandate in this cause. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

The Southern Kansas Railway Company.
869. vs. Pff. in Error.
A. L. Briscoe.

Mr. A. H. Garland, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause, pursuant to Rule 32.

The Michigan Dairy Co. et al.
1398. vs. Appellants.
James W. Converse.

Mr. B. M. Harbert, in behalf of counsel for the appellants, submitted to the consideration of the Court a motion to vacate the order entered herein on October 5, 1891, docketing and dismissing this appeal and for leave to file the transcript of the record and docket the cause, which was opposed by Mr. Duane B. Ely, of counsel for the appellee. Whereupon, It is now here ordered by the Court that said motion be, and the same

is hereby granted upon the payment of costs.

The Richmond Liberal Mining Co. vs. Pltf. in Error
357 Victor Dorne. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. U. U. Woody in support of the same, and Mr. N. B. Dickson and Mr. Wyer Swayne in opposition thereto.

Charles L. Pickens et al. vs. Pltfs. in Error.
97 The Mining District of Shelby County, Tennessee et al. Mr. W. Nixon Thompson, of counsel for the plaintiffs in error submitted to the consideration of the Court a motion to recall the judgment of dismissal entered herein on November 24th, 1891, to restore the case to the docket and assign it for oral argument.

Ex parte: Edward W. Mallinger. Appellant.
1406 On motion of Mr. C. H. Winfield, leave is hereby granted the Clerk to issue a certificate

copy of the decree of this Court in this cause.

Michael Seitz. Mr. W. A. Mc. Kenney,
61. vs. Pff. in Error. in behalf of counsel
The Brewers Refrigerating for the defendant in
Machine Company. error moved the Court
to grant leave to
the Clerk to issue the mandate in this cause.
Whereupon, It is now here ordered by the Court
that said motion be, & the same is hereby, denied.

The Leadville Coal Co. et al. It being shown to
70. vs. Appellants. the Court that Wil-
William Mc Creery et al, liam Mc. Creery,
Trustees etc. et al. one of the appellees
in this cause has
died since this appeal was taken now, on mo-
tion of Mr. C. D. Hine, of counsel for the appellees,
It is ordered by the Court that the decree of
affirmance heretofore entered herein be, and the
same is hereby, modified in the following
respect to wit: That the deed of conveyance
which the decree of confirmation of the Court
below directs shall be made to William Mc.
Creery, Henry Wood, Charles B. Baldwin and Scot

D. Hine. Trustees, is hereby ordered to be executed and delivered by the Special Master Commissioner to Henry Cod, Charles C. Baldwin and Cecil D. Hine. Trustees. their survivor or assigns.

The Leadville Coal Co. et al.
169 vs. Appellants.
William Mc. Creery et al. Trustees etc. et al.

Mr. C.D. Hine, of counsel for the appellees moved the Court to grant the Clerk leave to issue the mandate in this cause. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

The Coosaw Mining Co.
1748. vs. Appellant.
The State of South Carolina: ex rel: B.R. Tillman et al.

Mr. W.B. Earle, in behalf of counsel for the appellees submitted to the consideration of the Court a motion to advance this cause, which was opposed by Mr. C.W. Bacot, of counsel for the appellant. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of March next.

Proclamation being made the Court is adjourned until Monday,

Monday, January, 4th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that E. V. Spencer, Esquire, of Evansville, State of California, and John B. Elam, Esquire of Indianapolis, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. George C. Hazelton it is ordered that John J. Jenkins, Esquire, of Chippewa Falls and Silas C. Hawley, Esquire, of River Falls, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that Sherman Hartwell Hubbard, Esquire, of Bridgeport, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is ordered that Williams C. Glenn, Esquire, of Atlanta, State of Georgia, and L.P. Saindels, Esquire, of Fort Smith, State of Arkansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph McKenna it is ordered that Edmund Caughey, Esquire of San Francisco,

State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in the term by Mr. Alexander Porter Morse it is ordered that Charles Parrott, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

27 The Virginia Ferry Company. vs. Uhlhorn. Appeal from the Circuit Court of the United States for the Southern District of Illinois.

The Ohio and Mississippi Railway Company et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded

to the said Circuit Court for such further proceedings as may be consistent with justice & in conformity with the opinion of this Court.

per Mr. Justice Brown.

The Sunflower Oil Company. vs. Benjamin Wilson, Receiver of the Mobile & Northwestern Railway Company. 122. Appeal from the District Court of the United States for the Northern District of Mississippi

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum, that similar decrees bear in the Courts of the State of Mississippi.

per Mr. Justice Brown.

Mr. Justice Lamar was not present at the argument & took no part in the decision of this case.

The Sunflower Oil Company.		Appeal from the Circuit Court of the United States for the Northern District of Mississippi.
23	vs.	Appellant.	
Benjamin Wilson, Receiver of The Memphis & Northwestern Railway Company.			

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate for amount and damages decreed to be in the Court of the State of Mississippi. per Mr. Justice Brown.

Mr. Justice Lamar was not present at the argument & took no part in the decision of this case).

Matthew T. Gisborne.		Appeal from the Supreme Court of the Territory of Utah.
115.	vs.	Appellant.	
The Charter Oak Life Insurance Company of Hartford, Connecticut.			

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. Per Mr. Justice Bradley.

The Board of County Commissioners of the County of Pitkin. vs. Andrew Keller. 103. In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, on to paid, at the same rate per annum, that such judgments bear in the Courts of the

Monday, January 14th, 1878. Continued.

State of Colorado.

per Mr. Justice Lamar.

Dissenting:
Mr. Justice Gray.

The Pacific Express Company. Appeal from the
783. vs. Appellant. Circuit Court
Louis V. Letzel, State Auditor of of the United States
the State of Missouri, and John M. for the Western
Wood, Attorney General of the State District of Mis-
of Missouri. souri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Lamar

Monday, January 4th, 1892 Continued

The District Township of Doon in Lyon County, State of Iowa.	In Error to the Circuit Court of the United
230 to.	States for the Northern
Aff. in Error.	District of Iowa.
Thomas Cummins.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter judgment for the defendant.

Per Mr. Justice Gray.

Dissenting:

Mr. Justice Brown.

Mr. Justice Harlan

Mr. Justice Brew

The Northern Pacific Railroad Company.

24. vs. Pff. in Error. In Error to the Supreme Court of the Territory of Washington.

The Territory of Washington, ex relatione, Hiram Austin, Prosecuting Attorney for the Counties of Yakima, Kittitas, Klikitat, Clarke and Skamania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs: And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Washington with instructions to enter judgment for the defendant dismissing the petition.

per Mr. Justice Gray.

Dissenting: Mr. Justice Brewer
Mr. Justice Field
Mr. Justice Harlan.

John Boyd & Eugene Staud-		In Error to the Circuit
ton, alias Eugene Stanton.		Court of the United
48.	vs.	States for the Western
The United States	Plffs. in Error.	District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new Trial.

Per Mr. Justice Harlan.

Evelina Scott, Executrix of		Appeal from the Cir-
H.H. Scott, deceased.		cuit Court of the
47.	vs.	United States for
Cornelia Ellery, Administratrix	Appellant	the Southern Dis-
of George H. Ellery, deceased.		trict of Iowa.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Patrick A. Kennedy.
126 vs. Pff. in Error.
Ellen Mc. Rev. Christopher C. Slaughter, Chapin M. Selby, James C. Stone & John M. Scott.

In Error to the Circuit Court of the United States for the Northern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

41. The Charlotte, Columbia & Augusta Railroad Company vs. Pff. in Error. Wade Hampton Gibbes Treasurer of Richland County. In Error to the Supreme Court of the State of South Carolina

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Field.

97. Charles L. Pickens et al. vs. Pffs. in Error. The County District of Shelby County Commissioners, et al. On consideration of the motion to recall the judgment & mandate entered herein on November 21st, 1891, to restore the cause to the docket and assign the same for oral argument, It is now here ordered by the Court that said motion be, and the same is hereby

granted and the cause assigned for argument on Monday, January 28th, after the cases heretofore assigned for that day.

per Mr. Chief Justice Sutter.

The Southern Kansas Railway Company
vs. Pff. in Error.
J. S. Briscoe.

On consideration of the motion to advance this cause under the 32d rule, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Sutter.

The Richmond Silver Mining Company.
vs. Pff. in Error.
Victor Dorn.

On consideration of the motion to dismiss in this cause, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Sutter.

The Summons Creek Coal Company et al. vs. Joseph S. Brown — Appellants. — Appeal from the District Court of the United States for the District of West Virginia

84

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Richard S. Tyler. vs. Cass County. — Pff. in Error. — In Error to the Supreme Court of the State of North Dakota

320

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Dakota, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court that the writ of error in this cause be, and the same is hereby, dismissed for want of jurisdiction.

per Mr. Chief Justice Fuller.

Stutsman County

vs. Appellant. Appeal from the Supreme Court of the

Charles L. Wallace & James W. Martin as Assignees of Daniel H. Wallace. Territory of Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Dakota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of North Dakota for further proceedings to be had therein in conformity with law.

per Mr. Chief Justice Fuller.

The St. Paul, Minneapolis & Manitoba Railway Company.
vs. In Error to the
The County of Todd, in the Supreme Court
State of Minnesota. of the State of
Minnesota.

33

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

James H. Fish.
vs. In Error to
D.V.B. Henaris, Eleanor Martin, the Circuit
James M. Donahue, Annie Donahue, Court of the
& Mary Ellen Van Schraender Executrix United States
of the will of Peter Donahue, deceased, for the District
Thomas L. Martin, Edward Martin of Oregon
and John D. Wilcox.

118.

This cause came on to be heard on the

copy of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to remand it to the State Court.

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Field &
Mr. Justice Harlan.

1301. The United States Appellant vs The Baton Ward Coking Co. et al.

1302. " " " " " The Southern Pacific R.R. Co. et al.

1374. " " " " " " " " " " "

1375. " " " " " " " " " " "

On motion of Mr. Attorney General Miller, of counsel for the appellant, It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on the first Monday of March next.

John C. Ludeling.
178. vs. Eff. in Error.
John Chaffe et al.

On motion of Mr. W. A. Maury, in behalf of counsel, It is ordered by the Court that the cause be substituted for case No. 146 in the call of the docket and vice versa

The Peruvian Mining Co.
340. vs. Appellant.
Thomas H. Mason et al.
&
Alfred A. Marcus.
416. vs. Appellant.
Thomas H. Mason et al.

Mr. Don M. Dickinson, of counsel for the appellees, submitted to the consideration of the Court a motion to advance these cases which was opposed by Mr. C. H. Talbot, of counsel for the appellants.

The Union Pacific Railway Company.
284. vs. Appellant.
The Central Trust Co. of New York et al.

Appeal from the Circuit Court of the United States for the District of Nevada.

This cause having been called to the at

Order of the Court by Mr. John F. Dillon, of counsel for the appellant, and he having moved the Court to dismiss the cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Mrs. Mary J. W. Gratiot
483. vs. Appellant.
U. S. & Richardson et al.

Mr. W. W. Howe, in behalf of counsel, submitted to the consideration of the Court a motion and stipulation to advance this cause for hearing with case No. 297 on the docket.

Sylvester H. Rowland.
38. vs. Appellant.
Charles L. Luce et al.

and

Sylvester H. Rowland.
39. vs. Appellant.
C. L. Luce & Co. et al.

On motion of Mr. A. H. Garland, in behalf of counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in these cases.

The German Bank of Memphis et al. vs. The United States. Appellants

089.

Mr. D. H. Poindexter of counsel for the appellants submitted to the consideration of the Court a motion to advance this cause, which was opposed by Mr. Attorney General Miller, of counsel for the appellee.

The Chicago & Grand Trunk Railway Co. vs. Thomas Wellman. Plff. in Error.

031.

On motion of Mr. Otto Kirchner, in behalf of counsel. It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, the 18th inst and

The State of Virginia vs. The State of Tennessee. Complainant.

3. Orig.

On motion of Mr. G. W. Pickle, of counsel for the defendant. Leave is hereby granted to file stipulations of counsel herein, evidence for complainant and defendant and exhibits thereto

The Medina Mine Company. Pff. in Error.
1227. vs.
John A. Webb and Brother.

On motion of Mr. W. A. McKenney, in behalf of counsel for the plaintiff in error;

leave is hereby granted the Clerk to issue the mandate in this cause.

Isaac N. Topliff. Appellant.
220. vs.
John A. Topliff et al.

On motion of Mr. John Ridout, in behalf of counsel, It is ordered by the Court that this cause be passed to be argued with case No. 277.

The St. Paul, Minneapolis & Manitoba Railway Company. Pff. in Error.
1438. vs.
The State of Minnesota, ex rel. The City of Minneapolis.

In Error to the District Court of the County of Hennepin, State of Minnesota.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dis-

cussed with costs.

Per Mr. Chief Justice Fuller.

723. James A. Briggs, Executor etc. vs. The United States. Appellant. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Phil C. Thompson, Jr. and Mr. W. J. Waberly, of counsel for the appellant, and Mr. Assistant Attorney General Maury, of counsel for the appellee.

828. T. B. Cox et al. vs. Plffs. in Error. E. J. Hall. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Eugene Williams, of counsel for the plaintiffs in error, and Mr. W. Hallett Phillips, of counsel for the defendant in error.

J. C. Petri et al.			This cause was sub-
1171.	vs.	Pffs. in Error.	mitted to the con-
The Commercial National			sideration of the
Bank of Chicago.			Court, pursuant to

the 20th rule, on the record and printed arguments by Mr. W. Hallett Phillips, of counsel for the plaintiffs in error, and Mr. John Lebden, of counsel for the defendant in error.

The Denver & Rio Grande			This cause was sub-
Western Railway Co.			mitted to the con-
1446.	vs.	Pff. in Error.	sideration of the
A. C. Dodge.			Court, pursuant

to the 20th rule, on the record and printed arguments by Mr. John A. Marshall, of counsel for the plaintiff in error, and Mr. P. L. Williams, of counsel for the defendant in error.

The Grand Trunk Rail-			The argument of this
way Co. of Canada.			cause was commenc-
134.	vs.	Pff. in Error.	ed by Mr. Otto Kir-
Albert Sys. Adams. Etc.			chner, of counsel for

the plaintiff in error.

The further argument of this cause was suspended for the present by the Court.

The New Orleans Pacific Railway Co. et al.
137. vs. Appellants.
John D. Parker et al.

The argument of this cause was commenced by Mr. W. W. Howe, of counsel for the appellants, and continued by Mr. John F. Dillon of counsel for the appellants.

Court thereupon duly made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, January 5th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. Solicitor General Taft it is ordered that Hampton L. Carson, Esquire, of Philadelphia, State of Pennsylvania, and Arthur B. Walcott, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Don M. Dickinson it is ordered that William Richardson, Esquire, of Huntsville, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Adolph Lubenwolle et al. Ordered by the
147. vs. Plffs. in Error. Court that this
W. H. Robertson, late Collector etc. cause be, and
the same is
hereby, passed for argument after case No. 146.

John P. Ludeling. Mr. William H. Pope, of coun-
148. vs. Plff. in Error. sel for the plaintiff in error,
John Phaffe et al. suggested the death of John
P. Ludeling, the plaintiff in
error herein, and moved the Court to make Maria
Copley Ludeling, for herself as universal legatee, and
as Executrix of the said John P. Ludeling, the party
plaintiff in error. Whereupon, It is now here or-
dered by the Court that the said Maria Copley
Ludeling, for herself as universal legatee, and as
Executrix of John P. Ludeling, deceased, be, and she
is hereby made the party plaintiff in error in
this cause.

The New Orleans Pacific Railway Co. et al.
197. vs. Appellants
John D. Parker et al.

The argument of this cause was continued by Mr. John F. Dillon, of counsel for the appellants & concluded by Mr. A. H. Garland, of counsel for the appellees.

The Grand Trunk Railway Co., of Canada.
134. vs. Pff. in Error.
Albert Ives, Admr. etc.

The argument of this cause was resumed by Mr. Otto Kirchner, of counsel for the plaintiff in error, continued by Mr. Don M. Dickinson, of counsel for the defendant in error, and concluded by Mr. Kirchner, for the plaintiff in error.

The Delaware City, Salem & Philadelphia Steamboat Navigation Company.
198. vs. Pff. in Error.
Anthony Reybold

The argument of this cause was commenced by Mr. Anthony Higgins, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Wednesday. January. 6th. 1892.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr L. C. Wolverton it is ordered that Henry J. Steele, Esquire, of Easton, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is ordered

ed that Albert Hagan, Esquire of Coeur d'Alene, State of Idaho, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Delaware City, Salem and Philadelphia Steamboat Navigation Company.
138. vs. Pff. in Error.
Anthony Reybold

The argument of this cause was continued by Mr. Anthony Higgins, of counsel for the plaintiff in error, and Mr. Edward G. Bradford, of counsel for the defendant in error and concluded by Mr. Higgins, for the plaintiff in error.

William Edgar Bird.
139. vs. Pff. in Error
Samuel Benton, Admr. etc.

The argument of this cause was commenced by Mr. J. C. C. Drew, of counsel for the plaintiff in error, continued by Mr. J. B. Corson, of counsel for the defendant in error, and concluded by Mr. J. H. Garland, of counsel for plaintiff in error

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday, January, 7th. 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. B. Mourse it is ordered that John B Craig, Esquire, of Keokuk, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

734. Joseph Englehart et al. vs. Ida May Shaubury. Appellants. Mr. M. B. Morris, of counsel, suggested the death of Ida

Way Stansbury, the appellee in the cause, and moved the Court to make The Washington Loan and Trust Company, Executor of the said Ida Way Stansbury, the party appellee herein. Whereupon, It is now here ordered by the Court that the said The Washington Loan and Trust Company, as Executor of Ida Way Stansbury, deceased, be and it is hereby made the party appellee herein.

John Glenn, Trustee etc. vs. J. Carter Warbury. Plff in Error. No. 98.

Mr. Conway Robinson, Jr. of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to enforce the stipulation filed herein to submit the cause, pursuant to the 20th rule, which was opposed by Mr. W. D. Morris, of counsel for the defendant in error. Whereupon, It is now here ordered by the Court that the cause be taken as submitted on the 11th inst and will leave to counsel to file printed briefs on or before the 15th inst and.

Rudolph Eichorn vs. William K. Hoover et al. In Error to the Supreme Court of the District of Columbia. No. 144.

The cause having been called to the attention of the Court by Mr. A. S. Worthington of counsel for the defendants in error, and a stipulation to dismiss the cause having been filed. Therefore in pursuance of said stipulation It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed; costs in this Court to be paid by the defendants in error.

per Mr. Chief Justice Fuller.

U. S. Phelps, Collector etc. vs. Peff, in Error. } The cause was submitted to the consideration of the Court,
6355 J. C. Siegfried et al. } pursuant to the 20th rule, on the records and printed arguments by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error and Mr. John A. Wesby, of counsel for the defendants in error.

The Chicago, Rock Island & Pacific Railway Co. vs. Appellant. } These cases were submitted to the consid-
1075 The Denver & Rio Grande R. R. Co. } eration of the

The Denver & Rio Grande Railroad Company. Appellant.
1109. vs.
The Chicago, Rock Island and Pacific Railway Co.

Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Thomas F. Withrow, of counsel for the Chicago, Rock Island and Pacific Railway Co. and Mr. Edward O. Wolcott, of counsel for the Denver and Rio Grande Railroad Co.

Ezekiel Clark. Plff. in Error.
140. vs.
Everett S. Sidway.

This cause was argued by Mr. G. P. Howes, of counsel for the plaintiff in error, and Mr. John H. Jewett, of counsel for the defendant in error.

The Rector etc. of the Church of the Holy Trinity. Plff. in Error
143 vs.
The United States.

This cause was argued by Mr. Seaman Miller, of counsel for the plaintiffs in error, and submitted on a printed argument by Mr. Assistant Attorney General Maury, of counsel for the defendant in error.

E. L. Hedden, Late Collector &c. | This cause was
144. vs. Pff. in Error. | argued by Mr.
William E. Iselin et al. | Assistant Attorney General

Maury, of counsel for the plaintiff in error and submitted on a printed argument by Mr. Francis Lynde Stetson, of counsel for the defendants in error.

David Magone, Collector &c. | The argument of
145. vs. Pff. in Error. | this cause was
Clara Rosenstein. | commenced by
Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

Friday, January 8th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William C. Matthews it is ordered that Benjamin P. Powers, Esquire, of Laramie, State of Wyoming, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. 149. The United States. Appellant. vs. The Alabama Great Southern Railroad Company.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by the Assistant Attorney General Parker, of counsel for the appellant, and Mr. W. D. Brainard, Mr. Charles King and Mr. William C. King, of counsel for the appellee.

No. 455. Robert W. Waterman. Appellant. vs. Philander W. Arden et al.

It appearing to the Court that a suggestion of the death of Robert W. Waterman, the appellant in this cause, and a motion and stipulation to make Jane G. Waterman, Executrix of the said Robert W. Waterman, the party appellant in this cause has been filed. Therefore, It is now hereby ordered by the Court that the said Jane G. Waterman, Executrix of Robert W. Waterman deceased, be, and she is hereby, made the party appellant in this cause.

James S. Waterman, Executrix etc. Appellant.
v.
Philander W. Alden et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. William A. Reese, of counsel for the appellant, and Mr. John C. Wilson, of counsel for the appellees.

Victor Meyer et al. Plffs. in Error.
v.
Walter G. Richards.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. B. A. Garrard, Mr. B. F. Jones and Mr. B. C. Kruttschnitt, of counsel for the plaintiffs in error, and Mr. Henry L. Lazarus of counsel for the defendant in error.

The New York & Texas Land Company (Limited). Plff. in Error.
v.
William Forman.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of Counsel.

David Magone, Collector etc. The argument of
145. vs. Pff. in Error. this cause was
Clara Rosenstein. continued by Mr.
Assistant Attorney
General Maury, of counsel for the plaintiff in
error and Mr. H. Upington, of counsel for the
defendant in error, and concluded by Mr.
Assistant Attorney General Maury, for the
plaintiff in error

Maria Copley Dudeling. This cause was ar
legatee and Executrix etc. gued by Mr. Herman
178. vs. Pff. in Error. Hartwell Hubbard,
John Chalk et al. and Mr. William
H. Carr, of counsel
for the plaintiff in error, and submitted on a
printed argument by Mr. R. S. Bradley of coun-
sel for the defendants in error.

Maurice Gandy et al. This cause was sub
148. vs. Appellants. mitted to the con-
The Main Belting Co. et al. sideration of the
Court on the record
and a printed argument by Mr. Asa Gardi-
ner, and Mr. J. Edgar Bull of counsel for the

appellants and leave granted counsel for the appellee to file a printed argument and counsel for appellant to file a reply thereto both briefs to be filed within one week.

Andrew W. Reid, Executor etc. Appellant
vs
The Lake Superior Ship Canal Railway and Iron Co. et al.

149

The cause was argued by Mr. Everett C. Wheeler of counsel for the appellant, and Mr. John B. Parsons of counsel for the appellee.

150 The United States Off. in Error vs. A. S. Watts et al.
152 The United States Off. in Error vs. A. S. Watts et al.

These cases were argued by Mr. Solicitor General as Off. of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 11th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field. Associate
John M. Harlan. Justices
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that George Henry Patrick, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Solicitor General Taft, it is or-

dered that Francis Lawton, Esquire, of New York City, and Willard R. Clay, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of the Court and they were sworn accordingly.

On motion first made to the Court in the behalf by Mr. J. M. Wilson it is ordered that John Lind, Esquire, of New Ulm and James R. Mawney, Esquire, of Winona, State of Minnesota, be admitted to practice as attorneys and counsellors of the Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr George Hunt it is ordered that Charles S Hott, Esquire, of Chicago, and W. C. Bailey, Esquire, of Danville, State of Illinois, be admitted to practice as attorneys and counsellors of the Court and they were sworn accordingly.

On motion first made to the Court in the behalf by Mr. O. H. Garland it is ordered that Jerome B. Kearby, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney

and counsellor of this Court and he was sworn accordingly.

John L. Thompson, John P. Shinn & James M. Gosney, Exrs. of Thos. Gosney, dec'd. vs. The United States.

No. 234. Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brown

Dissenting:

Mr. Justice Field

The United States. vs. The Des Moines Navigation and Railway Company et al.

No. 987. Appeal from the Circuit Court of the United States for the Northern District of Iowa

Appellant.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr. Justice Brewer.

Charles Cornuelman. Appeal from the
1026. vs. Appellant. Circuit Court of the
Frank Hitchcock, Marshal of United States for
the United States for the North- the Northern Dis-
ern District of Illinois. trict of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to

the said Circuit Court with a direction to discharge the appellant from custody on the writ of habeas corpus.

per Mr. Justice Blatchford.

Ex parte: In the matter of J. Sloat Gassett. — Petitioner } On petition for a Writ of Prohibition.

10. Original.

On consideration of the petition for a writ of prohibition of the return to the rule to show cause issued herein, and of the argument of counsel thereupon had, as well in support of as against the same: It is now here ordered by the Court that said petition be and the same is hereby denied.

per Mr. Justice Blatchford.

John H. Mc. Nee. — Pff in Error. — vs. — Peter J. Donahue. — In Error to the Supreme Court of the State of California.

121.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by

caused. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby. affirmed with costs.

per Mr. Justice Field.

The German Bank of Memphis et al
1089 vs. Appellants.
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Cerro Gordo Mining Co
1340 vs. Appellant.
Thomas H. Macon et al.

and

Alfred A. Marcus.
1416 vs. Appellant.
Thomas H. Macon et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cases assigned for argument on the second Monday of March next.

per Mr. Chief Justice Fuller.

Mrs. Mary C. W. Stutz
483 vs. Appellant.
G. W. Richardson et al.

On consideration of the motion to advance this cause for hearing with case No. 299 on the docket for the present term, It is now here ordered by the Court that said motion be, and the same is hereby, granted, the two cases to be argued as one case.

per Mr. Chief Justice Fuller

David Wagner Collector
of the Port of New York.
145 vs. Pff in Error.
Clara Rosenstein.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments be a-

in the Courts of the State of New York, on the authority of the decision in the case of Ober-Heffer v. Robertson: 116 U.S. 499.

per Mr. Chief Justice Fuller.

U.S. Phelps, United States Collector of Customs.		In Error to the Circuit Court of the United States for the Northern District of California.
206	vs. Pff. in Error.	
J. C. Siegfried & W. J. Braunstein, doing business as partners under the firm name and style of Siegfried & Braunstein.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to sustain the demurrer and to dismiss the action, on the authority of the

decision in the case of United States v. Lacey.
133 U. S. 273

per Mr. Chief Justice Fuller.

The Fidelity & Casualty Company of New York.		In Error to the Circuit Court of the United States for the District of Colorado.
187.	vs.	
Wilda Morris, by Henrietta Morris, her next friend.	Pltf. in Error.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, The Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Colorado.

B. C. Barnes, Dexter H. Gorce, H. J. Fairchild, David Stinson, William S. Dunn & John Claflin, surviving partners of the firm of H. B. Claflin & Co. vs. Peffo. in Error. Samuel Kaiser.

In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to award a new trial.

per Mr. Chief Justice Fuller.

(Mr. Justice Blatchford took no part in the decision of this case).

The United States. Appeal from the
358. vs. Appellant. Court of Claims
John Dunn.

This cause having been called to the attention of the Court by Mr. Solicitor General Appt, of counsel for the appellant, and he having moved the Court to dismiss this cause, Therefore in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

The United States. On motion of Mr. Solic-
348. vs. Appellant. itor General Appt of coun-
Ames Hazelton. sel for the appellant it is
is hereby granted the
Clerk to issue the mandate in this cause.

George I. Seney, Trustee The motions to
516 vs. Appellant. advance these
The Wabash Western Railway Co. cases for ar-
and gument with

The United States Trust Co. of N. Y. — case No. 228 on the docket for the present term were submitted to the consideration of the Court by Mr. William A. Maury and Mr. Preston Shelton, in support of the same, and Mr. W. H. Hodgell, in opposition thereto.

620. vs. Appellant.

The Wabash Western Railway Co.

and

The Wabash Western Railway Co.

626. vs. Appellant.

The United States Trust Co. of N. Y.

The Keokuk & Western R.R. Co.

779. vs. Pff. in Error.

The State of Missouri ex rel: William H. Wine, Collector &c. — Mr. Epps Hunton, of counsel for the appellee, submitted to the consideration of the Court a motion to advance these cases.

The Keokuk & Western R.R. Co.

780. vs. Appellant.

The County Court of Scotland County et al.

and

The Keokuk & Western R.R. Co.

1078. vs. Appellant.

The County Court of Scotland County et al.

The Sioux City & Sioux Falls Land & Land Company.
57 vs. Pff. in Err.
Thomas L. Griffey et ux.

Mr. L. L. Burdett, of counsel for the defendants in error suggested the death of Thomas L. Griffey, one of the defendants in error herein, and moved the Court to make Sadie Griffey and Georgia Day, sole heirs at law of said Thomas L. Griffey, parties defendants in error in this cause. Whereupon it is now here ordered by the Court that the said Sadie Griffey and Georgia Day sole heirs at law of Thomas L. Griffey, deceased, be, and they are hereby, made parties defendants in error herein.

The Inter-State Commerce Commission
889 vs. Appellant
The Baltimore & Ohio Railroad Company.

On motion of Mr. J. M. Wilson, of counsel for the appellant. It is ordered by the Court that this cause be, and the same is hereby, re assigned for argument on the 25th inst. and

Ex parte. In the matter of John O. Shaw vs. Trustee. Petitioner. Mr. W. H. Gordon, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Henry B. McKee vs. John N. B. Latrobe. 1266 Appellant. Mr. John J. Wood, of counsel for the appellant, suggested the death of John N. B. Latrobe, the appellee in this cause, and moved the Court for an order, under the 15th rule, to make the proper representatives parties.

Whereupon, It is now here ordered by the Court that unless the proper representatives of the said John N. B. Latrobe, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellant shall be entitled to open the record, and on hearing have the decree reversed, if it be erroneous: Provided, however, That a copy of this order shall be printed in some newspaper in the District of Columbia of general circulation, for three successive weeks, at least six-

ty days before the beginning of the term of the Supreme Court then next ensuing.

Samuel Hildew
109. vs. Pff. in Error
The People of the State of Illinois.

And

Michael Schwab.
977. vs. Appellant.
O. W. Berggren, Warden etc.

On motion of Mr. George Hunt, of counsel for the defendant in error and appellee, It is ordered by the Court that these cases be, and they are hereby, re assigned for argument on the 18th instant after case No. 109.

Richard P. Barden et al.
360. vs. Pffs. in Error
The Northern Pacific R.R. Co.

Mr. A.H. Garland, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

B.G. Gilman.
209. vs. Appellant
William B. Lake et al.

Appeal from the Circuit Court of the United States for the Northern District of California

It appearing to the Court that an authority of counsel for the appellant to dismiss this cause has been filed. Therefore in pursuance of said authority, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The United States. vs. William Wilson. — On motion of Mr. Solicitor General Asst. of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the 18th instant.

1891. The United States. vs. David K. Budd et al. — On motion of Mr. Solicitor General Asst. of counsel for the appellant. It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the 25th instant.

John Glenn, Trustee &c.
331. vs. Eff. in Error.
J. Carter Warbury.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Henry Wise Garnett, Mr. Conway Robinson Jr., Mr. Charles Marshall and Mr. John Howard, of counsel for the plaintiff in error, and Mr. W. G. Morris, of counsel for the defendant in error.

The National Steamship
Company, Limited.
150. vs. Eff. in Error.
Charles H. Dugman.

This cause was argued by Mr. John Chetwood, of counsel for the plaintiff in error and Mr. Delos Mc. Purdy, of counsel for the defendant in error.

Ebenezer B. Conners.
157. vs. Eff. in Error.
The Atchison, Topeka & Santa
Fé R.R. Co. in Chicago.

This cause was argued by Mr. Charles M. Sturges, of counsel for the plaintiff in error, and Mr. Charles

J. Holt of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday. January. 12th. 1875

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller. Chief Justice
Stephen J. Field.
John Mc. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire. Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

J. M. Mellon, Receiver of The National Bank of Shelbyville.
226. vs. Appellant
The Capital City Bank of Nashville et al.

Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

It appearing to the Court that a stipulation of counsel for the respective parties to

dismiss this cause has been filed. Thereupon, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Eugene Logan et al.
1295 vs. Plffs. in Error
The United States.

And

Eugene Logan et al
1315. vs. Appellants.
George A. Knight, U.S. Marshal.

On motion of Mr. Solicitor General Clark, it is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on the 18th inst.

The Home Benefit Association
155. vs. Plff. in Error.
Henrietta C. Sargent.

This cause was argued by Mr. Francis Lawton, of counsel for the plaintiff in error, and Mr. Wilson Winslow, of counsel for the defendant in error.

338. The District of Columbia vs. Harry L. Hutton. Pff. in Error.

This cause was argued by Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, and Mr. Andrew B. Duvall, of counsel for the defendant in error.

1151. The United States vs. George Sauges et al. Pff. in Error.

The argument of this cause was commenced by Mr. Solicitor General Pafft, of counsel for the plaintiff in error, and continued by Mr. William B. Glenn, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Wednesday, January, 13th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. P. Goudy, it is ordered that John A. Hamline, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Dalzell it is ordered that

Edward Campbell Esquire of Uniontown State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Maria Copley Ludeling
legatee &c Executrix etc.
178. vs. Pff. in Error.
John Chaffe et al.

On motion of Mr. C. J. Boatner, of counsel for the defendants in error, leave is hereby granted them to file an additional printed brief and it is also granted Mr. W. H. Taft, of counsel for the plaintiff in error to file a reply thereto within ten days.

Lewis P. Brooke.
60. vs. Appellant.
D. D. Cusick, Trustee et al. Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court

that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The United States
1457. vs. Pff. in Error.
George Sauer et al.

The argument of this cause was continued by Mr. Williams C. Glenn, of counsel for the defendants in error, and concluded by Mr. Attorney General Miller, of counsel for the plaintiff in error.

Edward A. Horner.
1054. vs Appellant.
The United States et al.

This cause was argued by Mr. Alfred Taylor, of counsel for the appellant, and Mr. Solicitor General Taft, of counsel for the appellees.

Edward A. Horner.
1478. vs. Appellant.
The United States et al

The argument of this cause was commenced by Mr. Herman Arrow, of counsel for the appellant, and continued by Mr. Solicitor General Taft, of counsel for the appellees.

Proclamation being made the Court is adjourned

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire Marshal.
James H. McKenney Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr. Solicitor General Dyer it is ordered that E. Cooper Shapley, Esquire of Philadelphia, State of Pennsylvania, Henry W. Taft, Esquire, of New York City, and James Hamilton Lewis, Esquire of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

161. James G. Hitchcock et al vs. James E. Jones et al. Appellants. Appeal from the Circuit Court of the United States for the District of Nebraska.

The cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

162. The Standard Life and Accident Insurance Company of Detroit, Michigan. vs. Henry D. Hutchcraft, Executor &c. Pff. in Error. In Error to the Circuit Court of the United States for the Southern District of Ohio.

The cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now

were ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

for Mr. Chief Justice Fuller.

Edward A. Horner.
11478. vs. Appellant.
The United States et al.

The argument of this cause was continued by Mr. Solicitor General Hoar, of counsel for the appellee, and concluded by Mr. Alfred Hayes, of counsel for the appellant.

Gaby S. Amato et al
418. vs.
Charles A. Mitchell.

This cause was argued by Mr. W. C. Goudy, of counsel for Amato et al, and Mr. S. S. Gregory of counsel for Mitchell.

Lau Ow Bew.
11458. vs. Appellant.
The United States.

This cause was argued by Mr. J. Stanley Dorlow, of counsel for the appellant, and Mr. Assistant Attorney General Parker, of counsel for the appellee.

William P. Dunnerdy. The argument of this
56. vs. Appellant. cause was com-
The United States. menced by Mr.
George A. King,
of counsel for the appellant.

Proclamation being made the Court is adjourned
until to-morrow at Twelve o'clock.

Friday. January. 15th. 1892

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Melville W. Fuller. Chief Justice

Stephen J. Field.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford Justices
Lucius Q. C. Lamar.
David J. Brewer
Henry B. Brown

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney. Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Jaggard it is ordered that W. W. Hensel. Esquire. of Lancaster in William B. Given. Esquire of Columbia, State of Pennsylvania, and W. B Loomis. Esquire. of Marietta, State of Ohio, be admitted to practice as attorneys and counsellors of this Court. and they were sworn accordingly.

Christian H. Hershey et al. Appeal from the Circuit
164. vs. Appellants. Court of the United States
Gilbert H. Hershey. for the District of Connecticut.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Joseph Otori Mr. George A. King of counsel
166. vs. Appellant for the appellee, suggested
Lucenzo Scalzo. the death of Lucenzo Scalzo, the appellee herein.

Whereupon, It is now here ordered by the Court that the cause be, and the same is hereby passed for the present.

William A. Kennedy et al. Appeal from the Circuit Court
168. vs. Appellants. of the United States for the
John Mc. Canna et al. District of Massachusetts.

The cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs

per Mr. Chief Justice Fuller.

156 William P. Dunwoody. Appellant. vs. The United States. The argument of this cause was continued by Mr. George A. King, of counsel for the appellant, and concluded by Mr. Assistant Attorney General Cotton, of counsel for the appellee.

157 The Sioux City & Iowa Falls Town Lot and Land Co. Plff in Error. vs. Teanie Gruffey & Georgia Jay, sole heirs at law, etc. et al. The argument of this cause was commenced by Mr. William L. Joy, of counsel for the plaintiff in error, and continued by Mr. S. S. Burdett and Mr. O. B. Broadway, of coun-

sel for the defendants in error, and Mr. W.C. Purdy of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, January 18th, 1892

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Taft, it is ordered that Ambrose Tighe, Esquire, of St. Paul, and Lloyd W. Bowers, Esquire, of Winona, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Read and Attorney General Harmon it is ordered that Emmett Ellis Esquire of Richmond State of Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bradley T. Johnson it is ordered that Bradley T. Ichby, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States

749. vs. Appellant. Appeal from the
The Alabama Great South- Court of Claims.
ern Railroad Company.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

The South Branch Lumber Company.		Appeal from the Circuit
195.	vs. Appellant.	Court of the
George W. J. B. Meyer, Assignee of George W. Augusta Meyer, Executrix of Charles D. Meyer, deceased, et al.		United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Delaware City, Salem and Philadelphia Steamboat Navigation Company.		In Error to the Court of Errors
198.	vs. Pff. in Error.	and Appeals
Anthony Reybold.		of the State of Delaware.

This cause came on to be heard on the

Transcript of the record from the Court of Errors and Appeals of the State of Delaware, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Lamar.

Histumura Etsio, Appellant. vs. The United States & Charles A. Garter, U. S. District Attorney in and for the Northern District of California. Appellees.

1898. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Gray.

Dissenting:

The Louisville Water Company. — In Error to the Court
224. — vs. — Plff. in Error. — of Appeals of the
William Clark, Sheriff of — State of Kentucky.
Jefferson County, Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

George I. Seney, Trustee. — On consideration of the two
516. — vs. — Appellant. — terms to advance
The Wabash Western Railway Co. — these cases
The United States Trust Co. of N.Y. — for argument
620. — vs. — Appellant. — with case No.
The Wabash Western Railway Co — 223 on the
Gld. — docket for the
The Wabash Western Railway Co — present term,
626. — vs. — Appellant. — and of the
The United States Trust Co. of N.Y. —

argument of counsel thereupon had, as well in support of as against the same: It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

779. The Keokuk & Western R.R. Co. vs. Pet. in Error. The State of Missouri ex rel: William H. Wine, Collector &c.

780. The Keokuk & Western R.R. Co. vs. Appellant. The County Court of Scotland County et al

1078. And The Keokuk & Western R.R. Co. vs. Appellant. The County Court of Scotland County et al.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

1860. Richard P. Barden et al. vs. Pet. in Error. The Northern Pacific R.R. Co.

On consideration of the motion to advance the cause, It is now here

ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of John O. Shaw Jr. Trustee. Petitioner. — On consideration of the motion for leave to file a petition for a writ of mandamus herein. It is now here ordered by the Court that said motion be, and the same is hereby granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of John O. Shaw Jr. Trustee. Petitioner. — On petition for a writ of mandamus.

On consideration of the petition of John O. Shaw, Jr., Trustee.

It is now here ordered by the Court that cause be shown by the Judges of the Circuit Court of the United States for the South

ern District of New York, before this Court at Washington on the first Monday of March next, at 12 o'clock noon, or as soon as thereafter as counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

The Denver & Rio Grande Western Railway Company. Plff. in Error.
vs.
D. C. Dodge. Deft. in Error.

In Error to the Supreme Court of the Territory of Utah.

14446.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, the Court is now equally divided in opinion. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

D. C. Petri & Co. and C. Petri doing business as A. C. Petri and Brother.

1071. vs. Plffs. in Error.

The Commercial National Bank of Chicago.

In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

per Mr. Chief Justice Waite.

William Haus et al.

1445. vs. Appellants.

The Victoria Copper Mining Company.

The motions to dismiss or affirm in this cause were submitted to the consideration of

the Court on the record and printed arguments by Mr. B. H. Armes, in support of the same, and Mr. John A. Marshall, in opposition thereto.

The County of Cass in the State of Missouri, W. A. Wray, Presiding Justice of the County Court of Cass County & G. W. George, & E. G. Lane Associate Justices thereof.

vs.

Albert Parker.

Appellants.

1493

Mr S. S. Burdett, of counsel for the appellants, having filed in open Court the following certificate, to wit:

"United States of America, Sct.

I, Warren Watson, Clerk of the Circuit Court of the United States for the Western Division of the Western District of Missouri, do hereby certify that heretofore, to wit, on the fifth day of August A. D. 1890, a suit in equity was commenced in said Court by Albert Parker against the County of Cass in the State of Missouri, and W. A. Wray, Presiding Justice of the County Court of Cass County, and G. W. George and E. G. Lane, Associate Judges thereof,

for the specific performance of a contract set forth in the complainant's bill of complaint: that on the 4th day of April A.D. 1891, a decree was rendered in said cause in favor of said complainant, by which it was adjudged and decreed that said contract should be specifically performed by said defendants: that on the 8th day of June A.D. 1891 the defendants sued out an appeal in said cause, which was on said last named day duly allowed to the Supreme Court of the United States, and that a full transcript of the record and proceedings in said cause under the seal of this Court has been furnished said defendants.

Witness my hand as Clerk and the seal of said Court. Done at office in Kansas City, Missouri, this 28th day of December, A.D. 1891.

Warren Watson, Clerk.
By A. Utter, D.C."

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court.

It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Western District of Missouri be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

By parties. In the matter of John Woods & Stephen B. Lovejoy, partners as Woods and Lovejoy. Petitioners. The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on a printed argument by Mr. Willard R. Gray, in support of the same, & leave was granted Mr. John Lind, to file a printed argument in opposition thereto.

1867. John D. Mc. Pherson. Executor &c. v. Henry S. Mc. Kee et al. Appellant. On motion of Mr. Calderon Carlisle, of counsel for the appellant, leave is

hereby granted to file a bond on the appeal herein, said bond to be approved by the Clerk of this Court.

57. The Sioux City & Iowa Falls Town Lot and Land Co. vs. Plff. in Error. Sealie Griffey, & Georgia Jay, sole heirs at law, etc. et al.

The argument of this cause was concluded by Mr. Will. Goudy, of counsel for the plaintiff in error.

58. John Tyler. vs. Appellant. Sarah C. Savage.

This cause was argued by Mr. William A. Maury, of counsel for the appellant, and Mr. William Wirt Henry, of counsel for the appellee.

59. Johnson N. Camden. vs. Appellant. William A. Stuart et al.

And

William A. Stuart. vs. Appellant. The Greenbrier White Sulphur Springs Co.

This case was submitted to the consideration of the Court on the record and printed arguments by Mr. J. Holdsworth Gordon, of Counsel.

sel for Camden, Mr. A. P. Watkins, of counsel for Stuart, and Mr. Caswell Ellett, Mr. H. St. Marshall and Mr. W. A. Maury, of counsel for the Greenbrier White Sulphur Springs Co.

On motion of Mr. Maury, leave was granted to file a stipulation of counsel and addition to the record herein.

Eva Brown, Admr. &c. vs. Jeff. in Error. Theodore B. Stuart et al.

169. This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. Charles Marshall, of counsel for the plaintiff in error and Mr. W. B. Watts and Mr. C. A. Buxton, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday January 4th 1892.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.

John M. Harlan.

Horace Gray. Associate

Samuel Blatchford. Justices

Lucius Q. C. Lamar.

David J. Brewer.

Henry B. Brown.

John M. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that Frederick L. McGhee, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Wilson it is ordered that

Edward A. Stringer, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seth J. Thomas it is ordered that Fulvius C. Sampson, Esquire, of Boston & Clifford Brigham, Esquire, of Salem, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Chief Justice announced that the Court would adjourn on Monday February 1st. inst. to Monday February 29th.

165. The Anaconda Brass & Copper Co. Appellant. vs. The Electrical Supply Co. The argument of this cause was commenced by Mr. Joshua Piney, of counsel for the appellant, continued by Mr. Morris W. Seymour and Mr. Charles A. Ingersoll, of counsel for the appellee and concluded by Mr. Charles E. Mitchell, of counsel for the appellant.

The New York, Lake Erie & Western Railroad Co.
69. vs. Pff. in Error.
David C. Winter.

Mr. Clifford Brigham of counsel for the defendant in error suggested the death of David C. Winter the defendant in error herein, and moved the Court to make Clifford Brigham, as Administrator of the said David C. Winter, the party defendant in error in this cause. Whereupon, It is now here ordered by the Court that the said Clifford Brigham, Administrator of David C. Winter, deceased, be, and he is hereby, made the party defendant in error herein.

The New York, Lake Erie & Western Railroad Co.
169. vs. Pff. in Error.
Clifford Brigham, Admr. etc.

The argument of the cause was commenced by Mr. Calvin P. Sampson, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Wednesday, January 20th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
Associate Justices

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Coxe it is ordered that Edward B. Whitney, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. K. Davis it is ordered that

John L. Cowley, Esquire, of St. Paul, and George H. Bates, Esquire, of Faribault, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Curtis it is ordered that Silas A. Ellis, Esquire, of Peoria, State of Michigan, Charles B. Darrell, Esquire, of Indianapolis, and Charles L. Jewett, Esquire of New Albany, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that Orrin C. Holt, Esquire, of Houston & Thomas Pugh Martin, Esquire, of Fort Worth, State of Texas be admitted to practice as attorneys & counsellor of this Court & they were sworn accordingly.

Epaminondas Wilson. Appeal from the Circuit Court
251. vs. Appellant. of the United States for the
Albert Hammacher et al. District of Massachusetts.

It appearing to the Court that a Stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of J. Hoal Bassett.
10. Original ——— Petitioner

On motion of Mr. Solicitor General Dept, leave is hereby granted the Clerk to issue a certified copy of the order denying the petition herein.

The New York, Lake Erie & Western Railroad Co.
169 vs. Pff in Error.
Clifford Brigham, Admr. etc.

The argument of this cause was continued by Mr. Calvin P. Sampson, of counsel for the plaintiff in error, and Mr. Clifford Brigham, of counsel for the defendant in error, and concluded by Mr. Seth J. Thomas, of counsel for the plaintiff in error.

The Chicago & Grand Trunk Railway Company.
081 vs. Pff. in Error
Thomas Wellman.

This cause was argued by Mr George G. Edmunds, of counsel for the plaintiff in error, and Mr. O. A. Bells, of counsel for the State of Michigan and submitted on a printed argument by Mr W. P. Mitchell, of counsel for the defendant in error.

John O'Neil.
6. vs. Pff. in Error.
The State of Vermont.

This cause was argued by Mr. A. H. Garland, of counsel for the plaintiff in error, and Mr. George G. Edmunds, of counsel for the defendant in error.

Samuel Fielden.
909 vs. Pff. in Error.
The People of the State of Illinois.

and

Michael Schwab.
777. vs. Appellant.
A. W. Bergren, Warden etc.

On motion of Mr. B. G. Butler, of counsel for the plaintiff in error and appellant, It is ordered by the Court that counsel on each side be allowed three hours for the argument of these cases.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, January, 21st. 1892.

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

No proclamation being made the Court is opened.

On motion first made to the Court in the brief by Mr. R. S. Davis it is ordered that Eugene W. Brett, Esquire, of San Diego, State of California be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Charles W. Berry. In Error to the Supreme
174 vs. Appeal Error Court of the Territory of
William E. Wood. Montana.

The cause having been called for hearing, in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs: And that the cross-writ be, and the same is hereby remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Waite.

909. Samuel Ruddew. vs. Pff in Error. The People of the State of Illinois.

And

977. Michael Schmidt. vs. Appellant. D. W. Berggren, Warden etc.

The argument of these cases was commenced by Mr. H. Salomon of counsel for the plaintiff in error and appellant, continued by Mr. George Hunt, of counsel for the defendant in error and appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday January 22d, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

[redacted]

The Chief Justice said:

Since the adjournment yesterday a very heavy loss has befallen the country and the Court and a great sorrow been visited upon us in the death of Mr. Justice Bradley, which occurred at his residence in this City at six-fifty this morning.

The Court will not proceed with business, but will adjourn until Tuesday next at the usual hour, when matters stood for Monday will be entertained.

[redacted]

Proclamation being made the Court is adjourned until Tuesday next at twelve o'clock

Tuesday January 26th, 1892

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius Q. C. Lamar.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas Wilson it is ordered that David B. Johnson, Esquire, of Minneapolis State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that W. W. McDowell, Esquire of Memphis,

State of Tennessee be admitted to practice in the attorney and counsellors of this Court and he was sworn accordingly.

Spencer B. Bruner
vs.
The Atchison, Topeka and Santa Fé Railroad Company in Chicago.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

574. No. 111 in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in terms securing to Congress the amount of the damages found by the jury.

Per Mr. Justice Gray

Mr. Justice Brewer was not present.

(The Chief Justice took no part in the decision of this case.)

William Edgar Bird.		In Error to the Cir-
189.	vs.	Deft. in Error. cuit Court of the
Samuel Benton, Adminis-		United States for
trator de bonis non of Moses		the Northern Dis-
B. Levy, deceased.		trict of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

(announced by Mr. Justice Blatchford).

The Home Benefit Asso-		In Error to the Circuit
ciation		Court of the United States
155.	vs.	Deft. in Error for the Southern Dis-
Henrietta P. Sargent		trict of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York,

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Catron.

Dissenting:

Mr. Justice Barbour.

Edward L. Hedden, late Collector of the Port of New York. ... Plff. in Error.

1144 ... vs. ... In Error to the Circuit Court of the United States for the Southern District of New York.

William B. Joslin, John G. Moser and Alfred Van der Veer.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the

same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Blatchford.

Ezekiel Clark. In Error to the Circuit Court
vs. of the United States for the
Lucius B. Sidway. Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum, that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Blatchford.

William C. Dunwoody, Appeal from the
36. vs. Appellant. Court of Claims.
The United States.

This cause came on to be heard on the Transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

William Haws et al. On consideration of
145. vs. Appellants. the motions to dismiss
The Victoria Copper Mining or affirm in this cause,
Company. and of the arguments
of counsel thereupon
had, as well in support of as against the same,
It is now here ordered by the Court that said
motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

The City of Brenham. It is ordered by the
20. vs. Pff in Error. Court that this
The German American Bank. cause be, and the

cause is hereby restored to the docket and ordered to be heard on the second Monday of March next after the cases therefore assigned for that day. Counsel are limited to one hour for the plaintiff in error and one hour for the defendant in error.

If counsel so determine, the case will be taken on submission any time between this date and the second Monday in March.

per Mr. Chief Justice Waite.

Victor Meyer and Adolph Meyer.
vs.
Walter D. Richards.

In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

272. Eff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Tuesday. January, 26th, 1886. Continued

The Inter State Commerce Commission — Appellant — vs — The Baltimore & Ohio Railroad Company. — On motion of the Solicitor General for the Appellant it is ordered by the Court that the cause be and the same is hereby re-assigned for argument on the second Monday of March next after the 889th No. 1340.

John D. Nash — Appellant — vs — George W. Harshman. — The Chief Justice laid before the Court a petition, submitted to the consideration of the Court a motion that a restraining order issue herein. 924

B. O'Berry et al Executors etc. — Plffs in Error — vs — The County of King et al. — The Chief Justice laid before the Court a petition, submitted to the consideration of the Court a motion for leave to the Clerk to issue the mandate in this cause, Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby denied. 1378.

The Northern Pacific Railroad Company. vs. Pff. in Error. George Hamby. 784

On motion to enforce the stipulation to submit this cause under the 20th rule was submitted to the consideration of the Court by Mr. S. L. Glaspell, in support of the same, and Mr. O. H. Garland and Mr. H. J. Way, in opposition thereto.

Albert H. Glaspell vs. Pff. in Error. The Northern Pacific R.R. Co. 1390

On motion of Mr. S. L. Glaspell, of counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the 33d rule.

The Michigan Insurance Bank vs. Pff. in Error. Anson Eldred. 1288

A suggestion of diminution of the record and motion for a writ of certiorari herein was submitted to the consideration of the Court by Mr. George C. Miller, in support of the same, and Mr. O. L. Cary, in opposition thereto.

Charles L. Bicklew et al.
771 vs. Opps. in Error.
The Taxing District of Shelby County, Tennessee et al.

On motion of Mr. W. Hallett Phillips, of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby re-assigned for argument on the second Monday of March next, after No. 889.

Henry L. Lester.
1364 vs. Pff. in Error.
The Board of Harbor Line Commissioners et al.

Mr. William A. McKenney, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

Joseph Clari
1166 vs. Appellant.
Vincenzo Scalzo.

The death of Vincenzo Scalzo, the appellee herein, having been suggested, now, on motion of Mr. C. W. Horton of counsel for the appellee, It is ordered by the Court that Sarah Scalzo, and Sylvester Rocco Scalzo, Executors of Vincenzo Scalzo, deceased, be, and they are hereby, made the parties appellee in this cause.

James E. Hilton et al. Mr. A. A. Garland, in
No. 226 vs. Appellants. behalf of counsel for the
James B. Jones et al. appellees, submitted to
the consideration of
the Court a motion for leave to the Clerk to issue
the mandate in this cause. Whereupon, It is
now here ordered by the Court that said motion
be, and the same is hereby, denied.

B. W. Goode. On motion of Mr. A. A.
227 vs. Appellant. Garland, in behalf of
William H. Haines et al. counsel, It is ordered
by the Court that this
cause be passed to be heard with cases No. 802
to 815 inclusive, as one case, per stipulation
of counsel.

Michael C. Mc. Donald. Mr. A. A. Garland, in
379 vs. Appellant. behalf of counsel sub-
George Belding et uxo. mitted to the consid-
eration of the Court
a motion to advance this cause for argument
after cases Nos. 227 and 802 to 815, inclusive.
Whereupon, It is now here ordered by the Court that
said motion be, and the same is hereby, denied.

452 John R. Mc. Nutt vs. George H. Brownell et al

Appellant.

Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause having been called to the attention of the Court by Mr. O. H. Garland, of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

403 John R. Mc. Nutt. vs. The Cardiff Coal & Iron Company.

Appellant

Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause having been called to the attention of the Court by Mr O. H. Garland of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore in pursuance of said motion. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

	Milton L. Trester,		In Error to the Circuit
999.	vs.	Plff. in Error.	Court of the United
	The Missouri Pacific Rail-		States for the District
	way Company.		of Nebraska.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party in this Court.

per Mr. Chief Justice Fuller.

	Charlotte A. Richardson.		In Error to the Superior
1054.	vs.	Plff. in Error.	Court of the State of
	William J. Bryan.		Massachusetts.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is

Entry dismissed with costs.

per Mr. Chief Justice Fuller

Charles Wilkins et al
480. vs. Pffs. in Error.
George W. Courtelott et al.

On motion for leave to apply the provisions of section 9 of Rule 10 to this case in printing the transcript of record herein was submitted to the consideration of the Court by Mr. William M. Springer in support of the same, and Mr. Wallace Pratt and Mr. Jefferson Brumback, in opposition thereto.

Benjamin F. Butler.
170. vs. Pff. in Error.
The National Home for Disabled Volunteer Soldiers.

On motion of Mr. B. F. Butler, It is ordered by the Court that this cause be passed for the present, but to retain its place on the call.

James Larkin et al.
175. vs. Pffs. in Error.
David M. Upton et al.

Ordered by the Court that this cause be passed for the present but to retain its place on the call.

Samuel Gibbon.
904 vs. Pff. in Error.
The People of the State of Illinois.

The argument of these cases was concluded by Mr. Benjamin F. Butler, of counsel for the plaintiff in error.

and

Michael Schwab.
777. vs. Appellant.
O W. Berggren, Warden etc.

For appellant.

The United States.
1157. vs. Appellants.
William Wilson.

This cause was argued by Mr. Assistant Attorney General Parker, of counsel for the appellant, and Mr. Harvey Spalding, of counsel for the appellee.

Eugene Logan et al.
955. vs. Pff. in Error.
The United States.

The argument of this cause was commenced by Mr. J. C. Kearby, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday January 27th 1875

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford Justices.
Lucius Q. C. Lamar
Henry B. Brown.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Michigan Insurance Banks. vs. Augustus Eldred. Def. in Error. 298

On consideration of the motion for a writ of certiorari herein, It is ordered that leave be granted counsel for the plaintiff in error to file and print the alleged additional record presented. The Court reserving decision on the application for a writ of certiorari and the final disposition of such additional record until after the

argument of the cause.

per Mr. Chief Justice Fuller.

Artemus Roberts.
288. vs. Pff. in Error.
Walter C. Lewis.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. J. W. Woodworth and Mr. L. B. Burr, in support of the same, and Mr. W. S. Harwood and Mr. J. H. Ames, in oppositions thereto.

The motion for leave to withdraw the writ of error for the purpose of amending the same was submitted by Mr. W. S. Harwood and Mr. J. H. Ames, in support of the same.

James A. Fisk.
118. vs. Pff. in Error.
D. V. B. Henarie et al.

On motion of Mr. J. K. Mitchell, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause after the adjournment of the Court for the February recess.

John Boyd et al
vs. Pffs in Error
The United States.

On motion of Sol. Gen. Taft of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

David L. Hammond et al.
1144. vs. Pffs. in Error.
W. L. Johnson Receiver &c. et al.

On motion of Mr. H. H. Denison, of counsel for the plaintiffs in error, It is ordered by the Court that the mandate in this cause be not issued until the further order of the Court.

Eugene Logan et al.
235. vs. Pffs. in Error.
The United States.

The argument of this cause was continued by Mr. Solicitor General Taft, of counsel for the defendant in error, and concluded by Mr. Augustus H. Garland, of counsel for the plaintiffs in error.

171. The Winona & St. Peter R.R. Co. Plff in Error. vs. The Town of Plainview Deft in Error.

172. The Winona & St. Peter R.R. Co. Plff in Error. vs. The Town of Elgin. Deft in Error.

The argument of these cases was commenced by Mr. Lloyd W. Bowers, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday, January 24th, 1878.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
Samuel Blatchford,
Lucius Q. C. Lamar,
Henry B. Brown,
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf of Mr. C. K. Davis it is ordered that George W. Somerville, Esquire, of Happy Eye, State of Illinois be admitted to practice as an attorney & counsellor of this Court, & he was sworn accordingly.

Olivia B. Hall, individually and as Executrix of Israel Hall, deceased, Appellant,
vs.
J. J. Bradford.

Mr. C. W. Hunt leave of counsel for the appellant, sub

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mitted to the consideration of the Court a motion to reverse the decree of the Circuit Court herein on the confession of error and consent of the appellee filed herein.

	Richard Worthington		Appeal from the Circuit
330.		Appellant.	Court of the United States
	vs.		for the Southern District
	Dana Estes & Charles E.		of New York.
	Lauriat.		

This cause having been called to the attention of the Court by Mr. G. H. Worthington, of counsel for the appellee, and a stipulation to dismiss this cause having been filed. Therefore, in pursuance of said stipulation. It is now here ordered, adjudged and decreed by this Court that this appeal be, & the same is hereby dismissed.

per Mr. Chief Justice Fuller.

	The Attorney General of the		Appeal from the
	Commonwealth of Massa-		Circuit Court of
	chusetts.		the United States
387.		Appellant.	for the District
	vs.		of Massachu-
	The Western Union Telegraph		setts.
	Company.		

It appearing to the Court that a Stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

William L. Scruggs. Appeal from the
179. vs. Appellant. Court of Claims.
The United States.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The Union & St. Peter R.R. Co. The argument
171. vs. Pff. in Error. of this cause
The Town of Cameron was continued
and by Mr. C. K.

The Winona & St. Peter R.R. Co. vs. The Town of Elgin. Pff. in Error. Davis, and Mr. G.B. Kellogg, of counsel for the defendants in error and concluded by Mr. Lloyd W. Bowers of counsel for the plaintiff in error.

173. Alfred M. Hoyt et al. vs. William N. Latham et al. Appellants. The argument of this cause was commenced by Mr. Thomas Wilson, of counsel for the appellants, and continued by Mr. B. K. Davis, of counsel for the appellees.-

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Friday, January. 29th. 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar
David J. Brewer.
Henry B. Brown.
John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. M. Woodworth it is ordered that Smith McPherson, Esquire, of Red Oak, & J. J. Stewart, Esquire, of Council Bluffs, State of Iowa, be admitted to practice as attorneys and counsellors of this Court as they were severally accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Pope Humphrey it is or-

dered that Royal Weissinger, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Expansion Wilson. vs. Albert Trammacher et al. Appellant. On motion of Mr. J. M. Woolworth, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

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Michael J. Cramer. vs. The United States. Appellant. Appeal from the Court of Claims.

180.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

178. Alfred W. Hoyt et al. vs. William H. Latham et al. Appellants.

The argument of this cause was continued by Mr. C. H. Davis, of counsel for the appellees, and concluded by Mr. Thomas Wilson, of counsel for the appellants.

1288. The Michigan Insurance Bank vs. Anson Eldred. Plff. in Error.

This cause was argued by Mr. George P. Miller, of counsel for the plaintiff in error, and Mr. A. L. Cary and Mr. G. C. Winkler, of counsel for the defendant in error.

4 Original. The State of Nebraska vs. The State of Iowa. Complainant.

The argument of this cause was continued by Mr. C. J. Green of counsel for the complainant, continued by Mr. Smith McPherson, of counsel for the defendant, and concluded by Mr. J. M. Woolworth, of counsel for the complainant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, February 1st, 1892.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William G. Ellis it is ordered that William A. Barnum, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The New Orleans Pacific Rail-		Appeal from the Cir
way Company & John T. Dillon &		cuit Court of the
Henry W. Alexander, Trustees.		United States for
37 ——— vs.	Appellants.	the Western Dis
John D. Parker, Walter D. Hamlin et al.		trict of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bills of Parker and Hamlin & as for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brown.

The National Steamship		In Error to the Circuit
Company, Limited.		Court of the United
150 ——— vs.	Def. in Error.	States for the Eastern
Charles H. Dugmau.		District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Brown.

The Sioux City and Iowa Falls Town Lot and Land Company, Plff in Error, vs. Gealie Griffey and Georgia Day, sole heirs at law of Thomas L. Griffey, deceased, Charles Chamberlain et al. — In Error to the Supreme Court of the State of Iowa.

157

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court

That the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The New York, Lake Erie & Western Railroad Company (formerly called The Erie Railroad Company), Plff in Error, vs. Clifford Brigham, Administrator of David P. Winter, deceased. Deft in Error. In Error to the Circuit Court of the United States for the District of Massachusetts.

169.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, & was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Lamar.

	The District of Columbia.		In Error to the Su-
338.	vs.	Pff. in Error	preme Court of the
	Harry L. Sutton.		District of Columbia.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the District of Columbia.

per Mr. Justice Lamar.

	John Ryder.		Appeal from the Circuit Court
158.	vs.	Appellant.	of the United States for the
	Sarah B. Savage.		Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, ad-

judged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs & interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Virginia.

per Mr. Justice Blatchford.

The United States. vs. Augustus S. Witten, William W. Peery & James R. Witten. — In Error to the Circuit Court of the United States for the Western District of Virginia.

51. Jeff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, & the same is hereby, reversed: & that this cause be, & the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

The United States.		In Error to the Circuit
52.	vs.	Court of the United States
Augustus S. Witten, Augustus	Pff in Error.	for the Western Dis-
S. Peery & William W. Peery.		trict of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

Sabey L. Swale, John S.		On a certificate from
Bennett, Grant S. Bennett		the United States Cir-
and Conrad H. Goodan		cuit Court of Appeals
1418.	vs.	for the Seventh Cir-
Charles H. Mitchell.	Pff. in Error.	cuit

This cause came on to be heard on the trans-

cript of the record from the United States Circuit Court of Appeals for the Seventh Circuit and was argued by counsel. On consideration whereof, It is the opinion of this Court that the plaintiffs in error were entitled to a new trial upon their application in the Circuit Court and payment of costs, without showing other cause than that a judgment was entered against them within the year. Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court of Appeals upon which that Court will proceed to render the proper judgment in the case pending before it.

per Mr. Justice Field.

Artemus Roberts.
vs. Eff. in Error.
Walter R. Lewis.

On consideration of the motions to dismiss or affirm and for leave to withdraw the writ of error herein for the purpose of amending the same, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that the motion to dismiss be, and the same is

hereby, denied: the motion to affirm postponed to the hearing of the cause on the merits, and the motion for leave to withdraw the writ of error for the purpose of amending same be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Charles Wilcox et al.
480 vs. Plff. in Error.
George W. Courtesy et al.

On consideration of the motion for leave to apply the provisions of section 9. Rule 10, to this cause, in printing the transcript of the record herein, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Northern Pacific Rail-
way Company.
784 vs. Plff. in Error.
George Kamby.

On consideration of the motion to enforce the stipulation to submit this cause, under the 20th rule, and of the argument of counsel

thereupon had, as well in support of as against the same: It is now here ordered by the Court that said motion be, & the same is hereby, denied.

per Mr. Chief Justice Fuller.

Henry L. Yesler. vs. Plff in Error. / The Board of Harbor Line Commissioners et al. — On consideration of the motion to advance this cause, It is now here ordered by the Court that said

1844

motion be, and the same is hereby, granted, & the cause assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Olivia B. Hall, individually, and as Executrix of Israel Hall, deceased. vs. Appellant. / J. J. Bradford. — Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

1896

This cause having been called to the attention of the Court by Mr. B. W. Hackham, on behalf of counsel for the appellant, and a confession of

error, and consent of the appellee that the decree herein be reversed having been filed. Therefore in pursuance of said confession & consent, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the appellee: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in accordance with law.

per Mr. Chief Justice Waite.

1124. John A. Hawk. Appellant. vs. George W. Harshman. On consideration of the motion for a re-streaming order herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

7. Original. Ex parte: In the matter of John L. Rapier Petitioner. On petition for a writ of habeas corpus.

On consideration of the petition for a writ of

habeas corpus herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied, and the rule to show cause hereinbefore entered discharged.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of George W. Dupre. 9. Original. — Petitioner } On petition for a writ of habeas corpus.

On consideration of the petition for a writ of habeas corpus herein, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied, and the rule to show cause hereinbefore entered, discharged.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of George W. Dupre. 9. Original. — Petitioner } On petition for a writ of habeas corpus

On consideration of the petition for a writ of habeas corpus, and the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied, and the rule to show cause heretofore entered discharged:

per Mr. Chief Justice Fuller.

1208. James E. Boyd vs. The State of Nebraska ex rel: John W. Thayer. — Pff. in Error. — In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and in conformity with the opinion of this Court.

—Order.—

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the Circuits agreeably to the act of Congress in such cases made and provided, and that such allotment be entered of record, viz:

For the First Circuit: Horace Gray, Associate Justice.
For the Second Circuit: Samuel Blatchford, Associate Justice.
For the Third Circuit: John M. Harlan, Associate Justice.
For the Fourth Circuit: Melville W. Fuller, Chief Justice.
For the Fifth Circuit: Lucius Q. C. Lamar, Associate Justice.
For the Sixth Circuit: Henry B. Brown, Associate Justice.
For the Seventh Circuit: John M. Harlan, Associate Justice.
For the Eighth Circuit: David J. Brewer, Associate Justice.
For the Ninth Circuit: Stephen J. Field, Associate Justice.

—Order.—

It is ordered by the Court that mandates issue in all cases decided prior to the first of January, 1892, where applied for except cases docketed and dismissed under the 6th rule.

per Mr. Chief Justice Fuller.

29. The State of Maine. vs. Pff. in Error. The Grand Trunk Railway Co. of Canada. On motion of Mr. A. A. Stroud, of counsel for the defendant in error. It is ordered by the Court that the mandate in this cause be not issued until the further order of the Court.

839. John G. Brown. vs. Pff. in Error. The Commonwealth of Massachusetts. Mr. A. E. Pillsbury, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

78. Lebbeus H. Rogers. vs. Pff. in Error. The United States. On motion of Mr. Solicitor General Taft, of counsel for the defendant in error, It is ordered by the Court that the mandate in this cause be not issued until the further order of the Court.

704. The United States. vs. Appellant. A. G. Worrell. Appeal from the Third Judicial Court of the Territory of Utah.

This cause having been called to the attention of the Court by Mr. Solicitor General Pagt, of counsel for the appellant, and the following stipulation having been filed, to wit:

"It is hereby agreed by and between the parties hereto that the aforesaid judgment be reversed as to the Docket fee charged therein, viz: in the sum of $225.45 which is the amount of said judgment less the docket fee, together with interest on said $225.45 from the 22nd. of April 1890, the date of the rendition of said judgment at the rate of 4% per annum and costs of the Court below, $20.00.

Signed by the parties hereto this 14th day of January, 1892.

(Signed). Wm. H. Pagt, Solicitor General.
For the Appellant

(Signed). O. B. Hallam.
For the Appellee."

Therefore, in pursuance of said stipulation, It is now here ordered, adjudged & decreed by this Court that the decree of the said Third Judicial District Court in this cause be, and the same is hereby reversed as to the Docket fee, charged therein and affirmed as to the residue

of the fees therein; and that this cause be, and the same is hereby, remanded to the said Third Judicial District Court with directions to enter a decree in accordance with the foregoing stipulation.

Charles August Edelhoff et al.		In Error to the Circuit Court of the
234	vs. Plffs. in Error.	United States for
William H. Robertson, Collector etc		the Southern District of New York.

This cause having been called to the attention of the Court by Mr. Solicitor General Coxe, of counsel for the defendant in error, and he having filed the following confession of error, to wit:

"And now, February, 1st, 1892, comes the Solicitor General, on behalf of the United States and confesses error on behalf of the United States on the writ of error sued out by Edelhoff et al. and moved the Court that the judgment so far as complained against by Edelhoff et al. be reversed, and that a new trial be granted therein."

Therefore, in pursuance of said confession of error, It is now here ordered and adjudged

by this Court that the judgment of the said Circuit Court in this cause so far as complained against by Edelhoff et al. be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Chief Justice Fuller.

869. The Southern Kansas Railway Company. vs. Jeff. in Error. J. S. Briscoe.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland and Mr. H. J. May, in support of the same, and Mr. George R. Peck, and Mr. A. G. Britton and Mr. O. B. Browne in opposition thereto.

1208. James E. Boyd. vs. Jeff. in Error. The State of Nebraska ex rel. John M. Thayer.

Mr. A. H. Garland, of counsel for the plaintiff in error, moved the Court that leave be grant.

ed the Clerk to issue the mandate in this cause.

Whereupon, It is therefore ordered by the Court that said motion be, and the same is hereby, denied.

Josiah Barnett, Assignee etc. vs. Appellant. Patrick H. Kinney. 764

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. John W. Warner and Mr. William Stone Abert in support of the same, and Mr. W.H.H. Miller, in opposition thereto.

The Chesapeake Ore & Iron Co. vs. Plff. in Error. Theodore A. Blake 182

Mr. B.A. Mussey, of counsel for the defendant in error, by leave of the Court filed a motion to dismiss herein.

Joseph Ingelhart et al. vs. Appellants. The Washington Loan & Trust Co. Executor etc. 734

The motions to dismiss or affirm in this cause were submitted to the

consideration of the Court on the record and a printed argument by Mr. H. C. Morris and Mr. J. J. Darlington, in support of the same, and leave was granted counsel to file a printed argument in opposition thereto within two weeks from this date.

The Montana Co. Limited et al. vs. Pff. in Error. The motion to
761 The St. Louis, Nevada & Milling Co. dismiss or affirm in this
cause was
submitted to the consideration of the Court on the record and printed arguments by Mr. John B. Clayberg, in support of the same, and Mr A. H. Garland and Mr. H. J. May, in opposition thereto.

E. L. Hedden, Collector etc. On motion of Mr.
144 vs. Pff. in Error. Assistant Attorney
William E. Joslin et al. General Maury,
of counsel for the
plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Ex parte: In the matter of Thomas H. Heath: Petitioner. The petition for a writ of error herein was argued by Mr. John Lyon, in support of the same, and Mr. Assistant Attorney General Maury, in opposition thereto.

The United States. Appellants. vs. David B. Budd et al. 391. The cause was argued by Mr. Assistant Attorney General Parker, of counsel for the appellants, and Mr. Jeff Chandler, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday, 26th, February 26th, at twelve o'clock.

Monday, February 24th 1896.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field

John M. Harlan.

Horace Gray. Associate

Samuel Blatchford. Justices

Lucius L. C. Lamar.

David J. Brewer.

Henry B. Brown.

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Taft it is ordered that William B. Harris, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

day by Mr. E. J. Johnson it is ordered that James W Green, Esquire, of Lawrence, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Frank R. Chandler, as Trustee & Executor under the last will and testament of George P. Pomeroy, deceased et al. vs. Appellants Josephine Pomeroy, Julia Pomeroy, Morrison & Alfred Mills, Executors of the last will and testamt of George Pomeroy, deceased. 1343. Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby,

remanded to the said Circuit Court with directions to enter a decree for the plaintiff, and for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brown.

Alfred M. Hoyt, Samuel H. Hoyt, H. C. Barney, Charles P. Barney et al. Appellants. vs. William D. Latham & Edward P. Latham. Appeal from the Circuit Court of the United States for the District of Minnesota.

173.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill, with costs.

per Mr. Justice Brown

Dissenting:

Mr. Justice Field.

(Mr. Justice Brewer did not sit upon the argument of this cause and took no part in its decision).

The Washburn & Moen Manufacturing Company & Isaac L. Ellwood.		Appeal from the Circuit Court of the United States for the Northern District of Iowa.
128.	vs. Appellants	
The Beat 'Em All Barbed Wire Company, Salmon Thompson, William E. Farrell, Egbert Hoag & Abram Hoag.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with di-

sections to enter a decree for the plaintiff, for an accounting, and for further proceedings in conformity with the opinion of this Court

per Mr. Justice Brown.

Dissenting:

Mr. Justice Field.

The Washburn & Moen Manufacturing Company, and Isaac L. Ellwood.		Appeal from the Circuit Court of the United States for the Northern District of Iowa.
129.	vs. Appellants.	
W. W. Norwood.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: & that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for the plaintiff for an accounting, and for further proceedings in conformity

ity with the opinion of this Court.

per Mr. Justice Brown.

Dissenting:

Mr. Justice Gray.

The Washburn & Moen Manufacturing Company, and Isaac L. Ellwood, Appellants. vs. John A. Wier and A. Wier

130. Appeal from the Circuit Court of the United States for the Northern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for the plaintiff, and for an accounting, and for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brown.

Dissenting:

	The State of Nebraska.	Mr. Justice Brewer
1.	Original ——vs—— Complainant.	announced the
	The State of Iowa.	opinion of the
		Court, but reser

ved the entry of decree until the parties agree upon a designation of the boundary in accordance with the principles set forth in the opinion. If no agreement is possible then the Court will appoint a commission to survey and report in accordance with the views expressed in the opinion.

	The Iron Silver Mining	In Error to the
	Company	Circuit Court of
2.	——vs—— Plff. in Error.	the United States
	The Mike & Starr Gold &	for the District
	Silver Mining Company.	of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Dissenting:
Mr. Justice Field.
Mr. Justice Harlan.
Mr. Justice Brown.

The Iron Silver Mining Company. vs. The Elkhorn & Starr Gold and Silver Mining Company.

3. Pff. in Error.

In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Brewer.

Dissenting:
Mr. Justice Field.
Mr. Justice Harlan.
Mr. Justice Brown.

John L. Sullivan, John Ryan, Philip Harrington Quinlan, Carroll, Richard Goley, R. C. Fisher, W. J. Stewart, Quinlan Sautry, C. J. O'Laughlin and P. J. Mc. Nulty.

7. vs. Peffs. in Error.

The Iron Silver Mining Company

In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer

The Rector, Church Wardens and Vestrymen of the Church of the Holy Trinity.

143. vs. Peffs. in Error.

The United States.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the Tran-

cript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Brewer.

The Chicago & Grand Trunk Railway Company.		In Error to the Supreme Court of the State of Michigan.
1084	vs. Plff. in Error.	
Thomas Wellman.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirm-

ed with costs.

per Mr. Justice Brewer.

The United States.		Appeal from the Circuit Court
161.	vs. Appellant.	of the United States for the
Wallin, Joseph & Company.		Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, and judged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Brewer.

The Winona & St. Peter		In Error to the
Railroad Company,		Supreme Court
171.	vs. Pff. in Error.	of the State of
The Town of Plainview		Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Blatchford.

(Mr. Justice Brewer did not sit in this case or take any part in its decision).

172. The Winona & St. Peter Railroad Company, Plff. in Error, vs. The County of Blue Earth. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Justice Blatchford.

(Mr. Justice Brewer did not sit in this case or take any part in its decision).

	Edward K. Horner.		Appeal from the
1051.	vs.	Appellant.	Circuit Court
	The United States & Josiah M. Fiske individually and as Marshal of the United States for the Southern District of New York (No. 1)		of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Blatchford.

	C. Dalman Budd.		In Error to the
719.	vs.	Def. in Error.	Superior Court
	The People of the State of New York.		of Buffalo, State of New York.

This cause came on to be heard on the transcript of the record from the Superior Court of Buffalo, State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Blatchford.

Dissenting:

Mr. Justice Brewer.
Mr. Justice Field.
Mr. Justice Brown.

The People of the State of New York, ex rel: Edward Duncan, Pet. in Error, vs. Andrew Walsh, Police Justice of the City of Brooklyn, & Clark V. Blumhart, Sheriff of the County of Kings. } In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by

counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiclifford.

Dissenting:

Mr. Justice Brewer.
Mr. Justice Field.
Mr. Justice Brown.

The People of the State of New York: ex rel: Francis B. Pinto, Plff. in Error, vs. Andrew Walsh, Police Justice of the City of Brooklyn, & Clark D. Milhart, Sheriff of the County of Kings. Def. in Error. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court

in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Dissenting:

Mr. Justice Brewer.
Mr. Justice Field.
Mr. Justice Brown.

The Union Mutual Life Insurance Company.		Appeal from the Circuit Court of the United States for the Northern District of Illinois.
55	v.	
Philander B. Sanford and Orrin P. Chase.	Appellants.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Gray.

The New Orleans City and Lake Railroad Company. vs. The City of New Orleans. — In Error to the Supreme Court of the State of Louisiana. — Def. in Error.

179. This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Maria Copley Ludeling, for herself as universal legatee, &c as Executrix of John A. Ludeling, deceased vs. John Chaffe, Charles Chaffe, J. B. Mc. Guire, Sheriff &c Austin Green, Clerk etc. — In Error to the Supreme Court of the State of Louisiana. — Def. in Error.

178. This cause came on to be heard on the trans-

cript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

James G. Waterman, Executrix of Robert W. Waterman, deceased. vs. Alexander W. Alden, and George F. Robinson individually and as Executors of James F. Waterman, deceased.

455. Appellants.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Edward C. Lawrence, as Administrator of Edward Ballentine, deceased, and in his own right.		Appeal from the Circuit Court of the United States for the Northern District of Illinois.
67.	vs. Appellant.	
William Nelson & Others.		
French.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Illinois.

per Mr. Justice Gray.

The Michigan Insurance Bank.		In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.
1888.	vs. Sig. in Error.	
Anson Eldred.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

Dissenting:

Mr. Justice Brewer.

Marshall Field & Company. vs. Appellant. John W. Clark, Collector of the Port of Chicago.

1052. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and

decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Robert M. Boyd, Henry R. Sutton & Charles A. Brown, comprising the firm of Boyd, Sutton and Co. — Appellants. vs. The United States & Cord E. Erhardt, Collector of the Port of New York. — Appeal from the Circuit Court of the United States for the Southern District of New York.

1049.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

Charles Strudwick, Abraham Herriman, David W. Herriman, James Wickinson & Morris Strudwick, trading under the firm name of H. Herriman, Strudwick and Co. ..... Appellants ..... vs. The United States.

1038

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

5. Original

The United States. ..... Complainant.
vs.
The State of Texas.

This cause came on to be heard on the bill of complaint and the demurrer of the defendant thereto, and was argued by counsel. On consideration where-

of. It is now here ordered, adjudged and decreed by this Court that said demurrer be, and the same is hereby, overruled

per Mr. Justice Harlan.

Dissenting:

Mr. Chief Justice Fuller.

Mr. Justice Lamar.

977. Michael Schwab. vs. A. W. Berggren, Warden of the Penitentiary of the State of Illinois, at Joliet. — Appellant. — Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan

Samuel Gibbew..... In Error to the
709 vs. Cff. in Error Supreme Court
The People of the State of the State of
of Illinois..... Illinois.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

James A. Briggs, Executor
of C. W. Briggs, deceased. Appeal from the
722. vs. Appellant. Court of Claims.
The United States.

This cause came on to be heard on the Transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the

said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to pass upon the question whether the transaction was an absolute sale or merely a mortgage or pledge: and according to the view adopted the amount of the proceeds due and payable to the petitioner should be ascertained.

Per Mr. Justice Field.

The Horn Silver Mining Company.
vs.
The People of the State of New York

Pff. in Error.

In Error to the Supreme Court of the State of New York.

48.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same

is hereby affirmed with costs.

per Mr. Justice Field.

Dissenting:

Mr. Justice Harlan.

David L. Hammond et al vs. Plffs. in Error. Walter L. Johnston, Receiver &c. et al. 114

It is ordered by the Court that the order entered herein on January 27th, 1892 staying the mandate in this cause be, and the same is hereby, vacated and set aside.

per Mr. Chief Justice Fuller.

John G. Brown vs. Plff. in Error The Commonwealth of Massachusetts. 889

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of April next.

per Mr. Chief Justice Fuller.

Joseph Inglehart et al.
734. vs. Appellants.
The Washington Loan & Trust Company, Executor etc.

It is ordered by the Court that further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

The Montana Company, Limited, et al.
761. vs. Plffs. in Error.
The St. Louis Mining & Milling Company.

On consideration of the motions to dismiss or affirm in this cause and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

Josiah Barnett, Assignee
764. vs. Appellant.
Patrick H. Kinney.

On consideration of the motions to dismiss or affirm

in this cause, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

James H. Rice
vs. Appellant.
John V. Rice et al.

1415 The death of Josiah Morris, one of the appellees herein, having been heretofore suggested by counsel for the appellant, and it being brought to the attention of the Court that the said death occurred after the appeal herein was allowed and citation issued, but before the latter had been served, leave is hereby given the appellant to take out a new citation to the proper representatives of the deceased.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of John Woods and Stephen Lovejoy, partners as Woods and Lovejoy.

Petitioners.

On consideration of the petition for a writ of certiorari to the United States

Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per the Chief Justice Fuller.

Bertha Hammond, (sued as Bertha Hopkins), individually, and as Administratrix of Colin L. Hopkins, deceased, Esther B. Hopkins et al.

62. ——— vs. ——— Appellants.

William B. Hopkins, Anna B. Hopkins, by her next friend, Wm. B. Hopkins et al.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Supreme Court in this cause be, and the

same is hereby reversed with costs: and that the cause be, and the same is hereby remanded to the said Supreme Court with directions to dismiss the bill.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Thomas Henry Cooper. 6. Original. — Petitioner. } On petition for a writ of Prohibition.

On consideration of the petition for a writ of prohibition and of the return to the rule to show cause issued thereon, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied: and the rule to show cause discharged.

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Field.

The Schooner Sylvia Handy, her Tackle, apparel &c. L. H. Handy, James Cathcart, J. H. Handy & William Thomas, owners. Appellants.

58. vs.

The United States. Appeal from the District Court of the United States for the District of Alaska

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Alaska and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Field.

The Central Land Co. of West Virginia. Plff. in Error.

281. vs.

John B. Laidley. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr.

J. B. Grocery, Mr. W. B. Guion and Mr. J. B. Kenna, in support of the same, and Mr. J. A. Ferguson, Mr. A. C. Summe and Mr. G. G. Bowlow, in opposition thereto.

The Township of Pleasant Hill, Lancaster County, S. C.		Appeal from the Circuit Court of the United States for the District of South Carolina.
1198.	vs. Appellant.	
The Massachusetts & Southern Construction Company.		

This cause having been called to the attention of the Court by Mr. James Lowndes in behalf of counsel, and a stipulation to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be & the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

The Township of Pleasant Hill etc.		On motion of Mr. James Lowndes, in behalf of counsel, it is ordered that the
1198.	vs. Appellant.	
The Massachusetts & Southern Construction Company.		

Clerk to issue the mandate in this cause.

Olivia B. Hall, individually, and as Executrix etc.
1396. vs. Appellant.
O. J. Bradford.

On motion of Mr. C. W. Needham, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

The Cattlesburgh & Southern Coal Company.
196. vs. Pff. in Error.
John W. Bates Sheriff etc.

On motion of Mr. G. A. King, of counsel for the plaintiff in error it is ordered by the Court that this cause be, and the same is hereby, passed until case No. 194 on the docket for the present term is reached.

The Northern Pacific R.R. Co.
1508. vs. Pff. in Error.
Dominick Amato.

The motion to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. Roger Foster, in support of the same, and Mr. A. H. Garland and Mr. H. J.

May, in opposition thereto.

635 Jesse C. Parley. vs. James J. Hill et al. Appellant.

The petition of Norman W. Kittson et al. legatees of Norman W. Kittson deceased, to be substituted as parties appellees in this cause in place of the St. Paul Trust Company, Executor of Norman W. Kittson, deceased, was submitted to the consideration of the Court on printed arguments by Mr. A. J. Horn and Mr. P. D. O'Brien, in support of the same, and Mr. Harvey Officer, Mr. W. D. Glover, Mr. George B. Young, Mr. Henry D. Beam and Mr. Edward D. Locke, in opposition thereto.

1208 James E. Boyd. vs. Pff. in Error. The State of Nebraska, ex rel: John M. Thayer.

On motion of Mr. A. J. May, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

George Bailey et al. — The petition for a
513 vs. Appellants — writ of certiorari here-
John P. Lundberg. — in to the United States
Circuit Court of Ap-

peals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. George A. Black, in support of the same, and Mr. W. W. Goodrich, in opposition thereto.

The Union Trust Co., of — On Error to the
New York, Trustee. — Sup. Court
514 vs. Def. in Error. — of the State of
Jacob Buiz et al. — Texas.

This cause having been called to the attention of the Court by Mr. William A. McKenney, in behalf of counsel, and a stipulation to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

Per Mr. Chief Justice Fuller.

The Union Trust Co. of N. Y., Trustee. Plff in Error. vs. Jacob Bing et al. ..... } On motion of Mr. W. D. McKenney, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

813

The Houston East and West Texas Railway Company. Plff in Error. vs. Jacob Bing et al. ... } In Error to the Supreme Court of the State of Texas.

875

This cause having been called to the attention of the Court by Mr. William D McKenney, in behalf of counsel, and a stipulation to dismiss this cause having been filed Therefore in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, without costs to either party.

per Mr. Chief Justice Fuller.

The Houston East & West Texas Railway Co.
875. vs. Plff. in Error.
Jacob Binz et al.

On motion of Mr. W. A. McKenney, on behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

Jabez G. Lucas et al.
418. vs. Plffs. in Error.
Charles H. Mitchell.

On motion of Mr. W. A. McKenney, of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

Elizabeth Mc Cullen
236. vs. Appellant.
W. A. Bane et al.

Appeal from the Circuit Court of the United States for the District of Oregon.

It appearing to the Court that an authority of counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Eugene O. Gordon.
176. vs. Pff in Errr.
The Third National Bank
of Chattanooga, Tennessee.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Milton Stone, of counsel for the plaintiff in error, and Mr. David D. Shelby, and Mr. William Richardson, of counsel for the defendant in error.

Benjamin F. Butler.
170. vs. Pff in Errr.
The National Home for Disabled Volunteer Soldiers.

The argument of this cause was commenced by Mr. Eugene M. Johnson, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 1st, 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Nelson Ford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

1301 The United States, Appellant vs The Cotton Planters' Loan Co. et al
1302 " " " " " The Southern Pacific R.R. Co. Tal.
1374 " " " " " " " " " "
1375 " " " " " " " " " "

On motion of Mr. Solicitor General Hoar, of counsel for the appellant, It is ordered by the Court that these cases be, and they are hereby, assigned for argument on the first Monday of April next

The United States.
1858. vs. Appellant.
John Finn.

On motion of Mr. Solicitor General Gpt. of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

The Banque Franco-Egyptienne et al.
199. vs. Appellants.
John Crosby Brown et al

Appeal from the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed, Clerk's costs to be paid by appellants.

per Mr. Chief Justice Fuller.

Henry Louis Bischoffsheim. Appellant.
200. vs.
John Crosby Brown et al.

Appeal from the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed. Clerk's costs to be paid by appellant.

per Mr. Chief Justice Fuller.

Richard O'Donnell. — In Error to the Circuit Court
213. — vs. — Pff. in Error. — of the United States for the
The County of Scott, et al. — Eastern District of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs to either party.

per Mr. Chief Justice Fuller.

Frederick Myers — Appeal from the Circuit Court
283 — vs. — Appellant. — of the United States for the
Oscar F. Hawley. — Southern District of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed without costs to either party.

per Mr. Chief Justice Fuller.

Frederick Myers.
280 vs Appellant.
Oscar F. Hawley.

Ordered by the Court that the Clerk have leave to issue the mandate in this cause, per stipulation of counsel.

Elon A. Walsh et al.
467 vs Pltf. in Error.
James Scott.

In Error to the Supreme Court of the State of Illinois.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is

hereby, dismissed, without costs to either party,
per Mr. Chief Justice Fuller.

Thos A. Marsh et al. vs. Plts. in Error. James Scott. 469.

Ordered by the Court that the Clerk have leave to issue the mandate in this cause, per stipulation of counsel

Laurent Lacassagne. vs. Appellant. François Chapuis, Exr. etc. 188.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. Alfred Goldthwaite, of counsel for the appellant, and Mr. A. H. Leonard & Mr. Morris Marks, of counsel for the appellee.

Benjamin F. Butler. vs. Pff. in Error. The National Home for Disabled Volunteer Soldiers. 170.

The argument of this cause was continued by Mr. Eugene M. Johnson, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Maury, of counsel for the defendant in error, and concluded by Mr. Benjamin F.

Butler, of counsel for the plaintiff in error.

(The Chief Justice did not sit in this case).

175 James Larkin et al. vs. Plffs. in Error
David H. Upton et al

This cause was argued by Mr. William M. Howard, of counsel for the plaintiffs in error, and Mr. W. W. Dixon and Mr. S. S. Burdett, of counsel for the defendants in error.

177 William B. Wilson. vs. Plff. in Error.
Jesse Seligman.

The argument of this cause was commenced by Mr. James L. Bolsford, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, March 2d, 1892.

Pursuant to adjournment the Court met to-
day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Associate Justices

Proclamation being made the Court is opened.

William A. Wilson.
177. vs. Pff. in Error.
Jesse Seligman.

The argument of this cause was continued by Mr. James S. Botsford, of counsel for the plaintiff in Error. The Court did not desire to hear further argument.

Otto Heinze et al.
146. vs. Pffs. in Error.
C.B. Muller et al, Executors etc.

This cause was argued by Mr. Stephen G. Clarke, of coun-

sel for the plaintiffs in error, and Mr. Assistant Attorney General Parker, of counsel for the defendants in error.

Adolph Lieberoth et al. Pltff. in Error
vs.
W.H. Robertson, late Collector etc.

This cause was argued by Mr. Stephen G. Clarke, of counsel for the plaintiffs in error, & Mr. Assistant Attorney General Maury, of counsel for the defendant in error.

147.
181 The Mutual Life Ins. Co. of N.Y. et al Pltff. in Error vs. Julia B. Hillmon
182 The Mutual Life Ins. Co. of N.Y. Pltff. in Error, vs. Julia B. Hillmon
183 The New York Life Ins. Co. Pltff. in Error, vs. Julia B. Hillmon.
184 The Connecticut Mutual Life Ins. Co. Pltff. in Error vs. Julia B. Hillmon.

On motion of Mr. Julien G. Davis, of counsel for the plaintiffs in error, It is ordered by the Court that one hour additional time be allowed counsel on each side on the argument of these cases.

The argument of these cases was commenced by Mr. Julien G. Davis, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday March 3d 1892

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.

John M. Harlan.

Horace Gray. Associate

Samuel Blatchford. Justices

Lucius L. C. Lamar.

David J. Brewer.

Henry B. Brown.

John W. Wright, Esquire, Marshal.

James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

John Simpson.

1334. vs. Appellant

The Steamer "Oregon" etc

And

The Oregon Short Line & Utah Northern Railway Co.

1339. vs. Appellant

The Ship "Clan Mackenzie" etc.

Mr. J. E. S. Wood, of counsel, submitted to the consideration of the Court a motion to advance these cases.

George W. Forbes. In Error to the Supreme
vs. Deff. in Error Court of the State of
Laura Brown. Nebraska.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 16th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

187. The Mutual Life Ins. Co. of N. Y. et al. Plff. in Error vs. Lillie B. Hillmon.
188. The Mutual Life Ins. Co. of N. Y. Plff. in Error vs. Lillie B. Hillmon.
189. The New York Life Ins. Co. Plff. in Error vs. Lillie B. Hillmon.
184. The Connecticut Mutual Life Ins. Co. Plff. in Error vs. Lillie B. Hillmon.

The argument of these cases was continued by Mr. Julien T. Davies, of counsel for the plaintiffs in error, and Mr. Samuel A. Riggs and Mr. L. C. Wheat, of counsel for the defendants in error and concluded by Mr. Edward J. Isham, of counsel for the plaintiffs in error.

The People of the State of New York.
ex rel: The New York Electric
Lines Co.

1886. vs. Opp. in Error.

Collin H. Sparks, Commissioner &c.

The argument of this cause was commenced by Mr. C. L. Woodbury, & concluded

for the plaintiff in error.

Proclamation being made the Court adjourned until to-morrow at twelve o'clock.

Friday, March 4th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas A. E. Weadock it is ordered that James Mc. Namara, Esquire, of Alpena, State of Michigan be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. J. Way it is ordered that S. C.

Patton, Esquire, of Hallettsville, State of Texas and Frank L. Dodge, Esquire of Davenport, State of Iowa, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

James C. Covert. — Appeal from the Circuit
195. ... to ... Appellant. — Court of the United States
Joseph B. Sargent and — for the Southern District
George H. Sargent. — of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The People of the State of New York, — The argument
ex rel: The New York Electric Line Co. — of this cause
185. ... to ... Pltff. in Error. — was continued by Mr.
Rollin M. Squire, Commissioner etc. —

E. W. Marble, of counsel for the plaintiff in error and Mr. David J. Dean, of counsel for the defendant in error, and concluded by Mr. E. W. Marble, of counsel for the plaintiff in error.

21. C. J. Sage, Plff. in Error, to The Board of Liquidation of the State of Louisiana.
187. John S. Adams & Co. Plff. in Error, to " " " " " " " "

These cases were argued by Mr. Charles W. Horner and Mr. C. J. Sage, of counsel for the plaintiffs in error, and leave was granted counsel for the defendant in error to file printed arguments within fifteen days from this date, and counsel for the plaintiffs in error to file a reply thereto within five days after the filing of the brief for the defendant in error.

William Crawford.
186. vs. Appellant.
Charles A. Heal.

and

Charles A. Heal.
278. vs. Appellant.
John A. Crawford et al.

On motion of Mr. J. H. Mitchell, of counsel for Crawford, and counsel of Mr. B. B. S. Wood, of counsel for Heal, It is ordered by the Court

that these cases be, and the same are hereby, passed.

189. The Chattanooga Car & Iron Co. vs. Theodore A. Blake. Pltf. in Error. The argument of this cause was commenced by Mr. Edmund Wilcox of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, March 7th. 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller. Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. C. Semple it is ordered that Joseph H. Wallace, Esquire, of Sheffield, State of Alabama, and Edward L. Bartlett, Esquire, of Santa Fé, Territory of New Mexico, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur S. Browne it is ordered

that John M. Cheney, Esquire, of Orlando, State of Florida, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. G. Sanders it is ordered that W. B. Quinn, Esquire, of Keokuk, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred Caldwell it is ordered that George E. Price and Samuel L. Flournoy, Esquires, of Charleston, State of West Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

1095 The Chicago, Rock Island & Pacific Railway Company ... Appellant. vs. The Denver and Rio Grande Railroad Company ... Appellee. Appeal from the Circuit Court of the United States

The Denver & Rio Grande Railroad Company, ... for the District of Colorado.

1109. ... vs. ... Appellant, ...

The Chicago, Rock Island & Pacific Railway Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the 5th paragraph of the decree of the said Circuit Court in this cause be modified so as to read as follows, viz: ...

5. The defendant shall set apart a track or tracks at Denver, on which the complainant shall have the right to clean its cars, and if the complainant shall not be satisfied with the facilities so provided and desire further facilities and conveniences for that purpose, it may proceed under Section one of Article 3 of their contract by giving notice to the defendant to construct or acquire such further facilities and conveniences.

And, as so modified, said decree be, and the

same is hereby affirmed each party to pay one-half of the costs in this Court.

per Mr. Justice Brown.

Dissenting:

Mr. Justice Brewer.

148. Maurice Gandy & The Gandy Belting Company. — vs. — The Main Belting Company & Benjamin Murray Plummer. — Appellants. — Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter an interlocutory decree for the plaintiff and for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brown.

Edward H. Horner.

1473. vs. Appellant. Appeal from
The United States, John W. Jacobus, the Circuit
individually, and as Marshal of Court of the
the United States for the Southern United States
District of New York, and John A. for the South-
Shields, United States Commission- ern District
er for the Southern District of New of New York.
York. (No. 2.)

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Blatchford.

Jesse P. Farley.
625. vs. Appellant. On consideration of the
James J. Hill et al petition of Norman W.
Kittson et al, legatees of
Norman W. Kittson, de-
ceased, to be substituted as parties appellees in

place of the St. Louis Trust Company, Executor of Norman W. Kittson deceased, and of the argument of counsel thereupon had, as well in support of as against the same. It is therefore ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Central Land Company of West Virginia.
1281 vs. Pff. in Error.
John B. Laidley.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

John Simpson
1334 vs. Appellant.
The Steamer "Oregon" etc.

The Oregon Short Line & Utah Northern Railway Co.
1339 vs. Appellant.
The Ship "San Mateo" etc.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be,

and the same is hereby denied.

per Mr. Chief Justice Fuller.

The Northern Pacific R.R. Co. vs. Dominick Amato. 1508. Off. in Error. It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be and the same is hereby postponed until the transcript of the record is printed.

per Mr. Chief Justice Fuller.

George Bailey et al. vs. John P. Lundberg. 1513. Appellants. On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the second Circuit, and of the argument of counsel thereupon heard, as well in support of as against the same,

It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The State of Iowa. On consideration
1. Orig. —— vs. —— Complainant. of the motion to
The State of Illinois. fix a day for the
argument of the

cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Schooner "W. P. Sayward", It is ordered by
Thomas H. Cooper, Claimant. the Court that
179 of O. T. 1890 —— vs. —— Appellant. the order entered herein on
The United States. April 27th, 1891,

in relation to the mandate be, and the same is hereby, vacated and set aside, to take effect at the close of this term.

per Mr. Chief Justice Fuller.

[redacted]

The Attorney General addressed the Court as follows:

May it please the Court:

On the 6th day of February last the bar of this Court adopted a memorial which I have the honor to present:

"Resolved, That the members of the bar of the Supreme Court of the United States desire to record their sense of the loss that has come to the profession in the death of Joseph P. Bradley, Justice of this Court.

"He brought to the bench long experience, great energy, strong and patriotic convictions, a scholarship as wide and varied as it was thorough and exact, and an unyielding courage. He was at the same time one of those rare characters in which vast learning is united with intense activity and business capacity: a master of men, as well as books, practical as well as theoretical.

"During his long service here he has more than done every duty, growing constantly in his work and in the regard of his fellows

and of the nation, until in the fullness of age, rounded and softened by years of judicial duty, gentle scholarship, and labor for the people, he has passed away lamented by the bar, the bench and the country that he served: a life complete, with a large place in history among the creators and moulders of our national jurisprudence.

"Resolved, That a copy of these resolutions be presented by the president and secretary of the meeting to the family of Mr. Justice Gray, with the sincere sympathy of the profession in their bereavement, and that the Attorney General be requested to present to the Supreme Court in session the proceedings of this meeting."

These occasions are recurring with pain ful frequency. In each of the years 1887, 1888, 1889, 1890, and now again at the threshold of 1892 an honored member of this Court has been sum moned into that presence of inconceivable so lemnity, where all must appear at last to an swer for duly done or duly neglected. Will it say the bar and the Court can they are "becoming reluctant to grant these their last English honors." Yet neither in length of days nor in their results is the end of the life of Justice

Bradley untimely. Having passed the limit prescribed by the Psalmist, and "by reason of strength" attained almost fourscore years, all the journey rich and useful in the fruits of his talents, his industry, and his learning, like the quietness, the serenity, the continuing tranquility of the summer's day he has gone down with those descending, grateful long lingering lights, the radiance of the evening giving sure promise of a morning and a morrow of endless brightness.

The eldest of eleven children, of Captain New England lineage, Joseph C. Bradley was born on a farm in Albany County, New York, on the 14th day of March, 1813, and therefore on January, 22d last, the day of his death, was near the end of his seventy-ninth year.

The means of his parents who at his birth were only nineteen years old, were slender, and the circumstances of his childhood and youth were very harsh. The little farm was rugged, almost mountainous, the soil thin and barren. The meager crops were eked out by cutting wood from the hillsides and burning it into charcoal, which young Bradley peddled about the streets of Albany. But thought soon pressed

to supply the needs of their fast-growing flocks, this father and mother were of the intelligent farmer class so often ambitious to give their children a better chance than their own, and they did for their boy the best they could. A few months country school in winter, and a few books, were the foundation on which a great superstructure of learning was built. A foundation which, with all due respect to so-called improved school-systems and modern methods, it is believed was all the better for the ambitious boy, because the opportunities were rare and the few books so entirely mastered. In the intervals of necessary work we can imagine this boy, in garments homespun and home-made every thread and every stitch interwoven with the warmth of a mother's love, slight of form but full of life and energy,— quick of motion and quick of temper, eager and apt in all the sports with his fellows, but even more eager and more apt in the use of his slight opportunities, to look on school to feed the beginnings of that hunger of the mind which was the spur of his whole life and which to the last was insatiable.

At sixteen this boy, with so few advantages, instead of a pupil became the teacher of a winter school, an occupation continued for four seasons. This was the best possible training, because it necessitated thoroughness. As a pupil one may get along with superficial knowledge. Before one can instruct, he must not merely know how and why and for what purpose: he must know not merely facts, but principles. At twenty entering the freshman class at Rutger's, with a very meagre preparation in Greek and Latin, at the end of the year he had nevertheless, made such progress as to jump the sophmore and enter the junior class, and was graduated two years later with the late Secretary Frelinghuysen, Governor Newell, and Cortlandt Parker, all eminent in the law and in public affairs.

Mr. Parker says that Bradley was facile princeps in his class, though compelled to miss the last term of his course, in order by teaching, to earn money to pay his way.

Of many incidents of his student life, suggestive of his future character and achievements time forbids to speak. They all pro-

possessed a man of integrity, of industry, and of notable talents.

Young Bradley does not seem to have been strikingly precocious — was not a genius like Grotius or Hamilton, striding at once to the front of his profession. His first years at the bar, as with most young men, were a struggle: his success and greatness were a growth the result of days of toil and nights of study. The unfolding of the law to him is admirably described in his own language:

"As in the creation we may suppose that the light of the stars did not all burst upon man at a single moment, but came upon him from their distant chambers in successive beams one after another, according to their recondite stations in space, so in the study of the law one great principle after another comes to the yearning mind and overspreads it with light and gladness: and many long years may elapse before one can feel that he has really mastered the law and fully obtained the gladsome light of jurisprudence spoke of by Lord Coke."

As a student and as a man a most strik-

ing trait of his character was thoroughness. He studied almost everything, and whatever he studied became his own, a part of his very self.

In concluding the address (already quoted from) delivered by him before the students of the law school of the University of Pennsylvania in 1884, an address worthy of the pen of Blackstone, Justice Bradley pictured the ideal lawyer as follows:

"To sum up all in one word, in order to be an accomplished lawyer it is necessary, besides having a knowledge of the law, to be an accomplished man, graced with at least a general knowledge of history, of science, of philosophy, of the useful arts, of the modes of business, of everything, in fact, that concerns the well being and intercourse of men in society. He ought to be a man of large understanding: he must be a man of large acquirements and rich in general information, for he is a priest of the law, which is the bond and support of civil society, and which extends to and regulates every relation of one man to another in that society and every transaction that

takes place in it. Trained in such a profession and having these acquirements, and two things more, which can never be omitted from the category of qualifications — incorruptible integrity and a high sense of honor — the true lawyer can not but be the highest style of a man, fit for any position of trust, public or private: one to whom the community can look up as a leader and guide: fit to judge and to rule in the highest places of magistracy and government, an honor to himself, an honor to his kind."

Studying his life and its results, one is impressed that this picture was ever before him. By a long life of striving, probably more nearly than any one of his time, he attained to that lofty ideal.

Of Sir Thomas More, the first layman commoner to become Lord Chancellor, and who was wiser than his contemporaries by at least three hundred years, it is said that "he was perfecting himself in most of the liberal sciences, as music, arithmetic, geometry, astronomy, and growing to be a perfect historian". So of Judge Bradley, While the law was his business,